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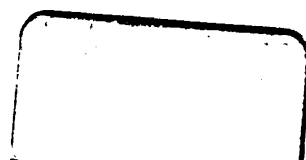
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THE STATE OF OHIO.

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# LOCAL ACTS

PASSED BY THE

SEVENTIETH GENERAL ASSEMBLY,

AT ITS ADJOURNED SESSION,

Begun and Held in the City of Columbus,

JANUARY 3, 1893.

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VOLUME XC.

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# LOCAL LAWS.

## ADAMS COUNTY.

[Senate Bill No. 430.]

### AN ACT

To authorize the county commissioners of Adams county to construct a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Adams county, Ohio, be and the same are hereby authorized and empowered to construct a free turnpike on the following route, to wit: Beginning at a small bridge on the south side of the Moore's Run, Manchester and Brown county line free turnpike road, near the north corporation line of the incorporated village of Manchester in said county, and running thence down the river and on the line of the river road leading from Manchester to Aberdeen in Brown county, or as near to said line as may be practicable for making a good turnpike road, to the county line between Adams and Brown counties, Ohio.

SECTION 2. Said commissioners may, in their discretion, order at once the construction of said free turnpike road; but before ordering the same constructed they shall require donations of not less than twenty per centum of the estimated cost thereof, and may issue bonds of the county to pay the cost of constructing same, bearing not more than six per cent. (6%) per annum interest, which bonds shall not be sold for less than their par value, and may levy a tax of not exceeding three mills on the dollar, annually, on the taxable property of said county for the purpose of paying said bonds and the interest thereon.

SECTION 3. A majority of said county commissioners may, at any regular or special session, agree upon plans and specifications for said free turnpike road, and order said improvement or any part thereof.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed March 2, 1893.

[Senate Bill No. 443.]

## AN ACT

To authorize the county commissioners of Adams county to construct a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Adams county be and they are hereby authorized to construct the following free turnpike road, to wit: Beginning at the Tranquility and Highland county line pike at the Flat Run M. E. church; thence by nearest and most practicable route crossing Flat Run below the graveyard; thence on or near the old road past G. W. Galls, to or near the corner of J. B. Wylie's and G. W. Galls' land; thence by nearest and most practicable route to intersect the Locust Grove and Hillsboro free turnpike at or near G. W. Sider's residence.

SECTION 2. Said commissioners may, in their discretion, order at once the building of said road, but before ordering said road shall require donations of not less than twenty per centum of the estimated cost thereof, and may issue bonds for the construction of the same, bearing six per cent. interest, which shall not be sold for less than their par value, and may levy a tax not exceeding two mills on the dollar, annually, on all taxable property of said county for the purpose of paying said bonds and interest thereon.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed March 2, 1893.

97L

[House Bill No. 1440.]

## AN ACT

To authorize the commissioners of Adams county to construct a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Adams county, Ohio be and they are hereby authorized to construct the following free turnpike road, to wit: Beginning at the West Union and Peebles turnpike, thence with the south line of George Thoroman west, thence the line of Crawford and McGovney, thence with their line west to the Jacksonville and Newport road, thence by the most practicable route to a point near the southeast corner of Calmes' survey, thence by the most practicable route to the bridge west of Newport.

SECTION 2. Said commissioners may, in their discretion, order at once the building of said road, but before ordering said road built may require donations of not less than twenty per centum of the estimated cost thereof, and may issue bonds for the construction of the same bearing not more than six per cent. interest, which shall not be sold for less than their par value, and may levy a tax not exceeding two mills on the

dollar annually, on all taxable property of said county for the purpose of paying said bonds and the interest thereon.

SECTION 3. A majority of said commissioners may at any regular or special session agree upon plans and specifications and order said improvement or any part thereof.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 14, 1893.  
124L

[Senate Bill No. 425.]

### AN ACT

To authorize the commissioners of Adams county to construct a certain turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Adams county be and they are hereby authorized to construct the following free turnpike road, to wit: Beginning at Loudon and Highland county pike at ford of Middle Fork of Brush creek, running thence near residence of A. N. Armstrong, through land of P. P. Armstrong and of A. G. Setty, passing on the west side of his residence; thence to Highland county line to intersect the Sinking Springs road near Wm. Shoe naker's.

SECTION 2. Said commissioners may, in their discretion, order at once the building of said road, but before ordering said road shall require donations of not less than twenty per centum of the estimated cost thereof, and may issue bonds for the construction of the same, bearing six per cent. interest, which shall not be sold for less than their par value, and may levy a tax not exceeding two mills on the dollar, annually, on all taxable property of said county for the purpose of paying said bonds and interest thereon.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 14, 1893.  
129L

[Senate Bill No. 566.]

### AN ACT

authorize certain incorporated villages to issue bonds for the purpose of street and sewerage improvements.

[MANCHESTER.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any incorporated village which at the last

federal census had a population of not less than 1,965 and not more than 1,970, be and the same is hereby authorized and empowered to issue bonds of said incorporated village in any sum not exceeding twenty-five thousand dollars (\$25,000.00), in denominations not exceeding one thousand dollars (\$1,000.00) each, and not less than one hundred dollars (\$100.00) each, bearing interest not exceeding six (6) per cent. per annum, payable annually, and payable at any time not exceeding twenty-five years from date of their issue, as the council of said incorporated village may determine; and said bonds shall not be sold at less than their par value, and in all respects not herein provided for in accordance with the provisions of section 2709 of the Revised Statutes of Ohio.

SECTION 2. The proceeds arising from the sale of said bonds, or any portion of them, shall be expended for the purpose of improving the streets and sewerage in any such incorporated village.

SECTION 3. Before such bonds, or any of them, shall be issued, the question of issuing the same shall be submitted to the vote of the qualified electors of such village at a regular or special election, to be held at the usual place of voting in said incorporated village, and at such times as the council may determine. The tickets to be voted at such election shall have written or printed thereon "Authority to issue street improvement and sewerage bonds—Yes;" "Authority to issue street improvement and sewerage bonds—No." If the proposition to issue bonds be approved by a majority of those voting upon it at such election, then said council shall issue and sell said bonds for the purposes named, and as provided by this act. Notice of said election shall be published in a newspaper published and of general circulation in said incorporated village, not less than ten days prior to such election, which shall in all respects not herein provided for be managed and conducted as other municipal elections are or may be required by law to be managed or conducted in any such incorporated village.

SECTION 4. To pay the principal and interest of any of said bonds as the same shall become due, said council is hereby authorized and empowered to levy a sufficient tax on all taxable property of said incorporated village, in addition to all other taxes otherwise to be levied. Such taxes shall be levied and collected as other taxes of said incorporated village.

SECTION 5. The money realized from the sale of said bonds shall be expended under the direction of the board of council of such incorporated village, and no expenditure shall be made unless a majority of said council shall concur therein.

SECTION 6. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 20, 1893.  
328G



## ALLEN COUNTY.

[House Bill No. 1489.]

## AN ACT

To authorize cities having a population at the last federal census of 15,987, or that may hereafter have such population, to borrow money for street improvements and sewerage purposes and to issue bonds therefor.

[LIMA.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of any city which at the last federal census had, and those which hereafter may have a population of fifteen thousand nine hundred and eighty-seven, be and is hereby authorized to borrow money not exceeding fifty thousand dollars in amount for the purpose of repairing and improving the streets of said city and for the payment of such costs and expenses as have been or may be taxed against such city for the improvement of its streets, and for the further purpose of building sewers as said council may determine upon; and the council of said city is hereby authorized to issue bonds of said city for the money so borrowed, said bonds to bear interest at a rate not exceeding five per centum per annum, payable semi-annually, and said bonds shall be of such denominations and shall mature at such times after twenty and within forty years, as the council shall determine, provided that none of said bonds shall be sold for less than their par value.

SECTION 2. Said council is hereby authorized to levy such amount of tax upon the taxable property of the city as may be necessary to pay the interest and principal of such bonds when the same become due; said tax to be levied and collected in the same manner as taxes for general purposes are levied and collected.

SECTION 3. Before issuing the bonds provided for in section one, of this act, said council shall give not less than three weeks' notice to the qualified electors of said city by printed publication not less than once per week in each and every newspaper published in said city, of an election to be held at the usual voting places in said city upon the question of issuing the improvement bonds of said city. And if, at said election, the majority of the votes cast by said electors shall be "Improvement bonds—Yes," council shall then proceed to issue said bonds as herein provided, otherwise said bonds shall not be issued.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 9, 1893.

112G

[House Bill No. 1410.]

AN ACT

To authorize the board of education of the Spencerville school district, Allen county, Ohio, to issue bonds for educational and school purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the Spencerville school district, Allen county, Ohio, be and is hereby authorized to issue bonds in the sum of two thousand (\$2,000.00) dollars for educational and school purposes.

SECTION 2. That this act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 10, 1893.  
116L

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[House Bill No. 1854.]

AN ACT

To authorize the board of education of Amanda township, Allen county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of Amanda township, Allen county, Ohio, be and the same are hereby authorized to transfer the following sum of money: Eight hundred dollars (\$800.00) from the building fund to the tuition fund.

SECTION 2. This act to take effect from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 25, 1893.  
373L

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ASHLAND COUNTY.

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[Senate Bill No. 480.]

AN ACT

To divide Green township, Ashland county, into three election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the township of Green, in the county of Ashland, and state of Ohio, be and the same is hereby divided into three election precincts as follows:

Precinct No. 1, with voting place at Perrysville, to be bounded as follows: Beginning at the northwest corner of the township, thence south along the township line to the southwest corner of the township, thence east along the township to the southeast corner of section 33, thence north on the section line to the northwest corner of section 27, thence east on the section line between sections 22 and 27 to the southeast corner of section 22, thence north on the section line to the northeast corner of section 15, thence west on the section line between sections 10 and 15, to the northwest corner of section 15, thence north on the section line to the northeast corner of section 4, thence west on the township line to the place of beginning.

Precinct No. 2, with voting place at McKey, to be bounded as follows: Beginning at the northwest corner of section 3, thence south along the west line of sections 3 and 10 to the southwest corner of section 10, thence east on the section line between sections 10 and 15 to the southeast corner of section 10, thence south on section 10, thence south on the section line to the southwest corner of section 14, thence east on the south line of sections 14 and 13, thence north on the township line to the northeast corner of section 1, thence west on the township line to the place of beginning.

Precinct No. 3, with voting place at Loudonville, to be bounded as follows: Beginning at the northwest corner of section 23, thence south on the west line of section 23 to the southwest corner of section 23, thence west on the section line between sections 22 and 27 to the northwest corner of section 27, thence south on the west line of sections 27 and 34 to the southwest corner of section 34, thence east on the township line to the southeast corner of the township, thence north on the township line to the northeast corner of section 24, thence west on the north line of sections 24 and 23 to the northwest corner of section 23, the place of beginning.

SECTION 2. That all former divisions of said township are hereby abolished, and this act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed April 19, 1893.

317L

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## ASHTABULA COUNTY.

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[Senate Bill No. 380.]

### AN ACT

to authorize the trustees of the township of Pierpont, county of Ashtabula, to sell and convey certain lands and purchase certain other lands herein described.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of the township of Pierpont, Ashtabula county,

Ohio, be and they are hereby authorized and empowered to sell at private or public sale, of which at least ten days' notice shall be given by posting notices of such proposed sale in not less than three conspicuous and public places within the township, the following described lands: Situate in the township of Pierpont, county of Ashtabula and state of Ohio, and beginning at the northwest corner of lands owned by Mary Holcomb, thence east along the lands of said Mary Holcomb to lands owned by the Free Will Baptist church, thence north along said lands of said Free Will Baptist church, thence west along said lands to the center of the north and south center highway, thence south to the place of beginning, being part of lot 32, township 11, range 1 of the Connecticut western reserve, and subject to all legal highways and containing about — rods of land.

SECTION 2. Said township trustees are hereby authorized and empowered to convey and execute to the purchaser or purchasers of said lands a deed in fee simple and to do whatever is necessary according to law to invest such purchaser or purchasers with a good and sufficient title thereto.

SECTION 3. The trustees of said township of Pierpont and county of Ashtabula are hereby authorized and empowered to purchase for the use and benefit of said township for town hall purposes, the following described lands: Situate in the township of Pierpont, county of Ashtabula, and state of Ohio, and being part of lot 32, township 11, range 1 of the Connecticut western reserve, and beginning at the center of the north and south center highway, at the corner of lands now or formerly owned by Eliza Williams, thence west along said lands ten rods; thence south eight rods, thence east ten rods, thence north eight rods to the place of beginning and to contain eighty rods of land, be the same more or less, and subject to all legal highways.

SECTION 4. For the purpose of paying for the lands described in section three, said trustees are authorized to use and expend so much of the proceeds received from the sale of lands described in section one, as may be necessary.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed February 15, 1893.  
60L

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[Senate Bill No. 499.]

## AN ACT

To authorize the county commissioners of Ashtabula county to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the auditor and commissioners of Ashtabula county, Ohio be and they are hereby authorized to transfer two thousand dollars from the dog fund of said county to the bridge fund thereof.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,  
*Speaker pro tem. of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed March 17, 1893.  
141L

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[House Bill No. 1696.]

AN ACT

To enable the trustees of Hartsgrove township, Ashtabula county, to issue bonds to build a vault.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Hartsgrove township, Ashtabula county, be and they are hereby authorized and empowered to issue and sell the bonds of said township in any sum not to exceed six hundred dollars, with interest not to exceed six per cent. per annum, payable annually, for the purpose of building a vault in the cemetery at the center of said township.

SECTION 2. Said bonds shall be sold according to law at not less than their par value, in denominations of not less than fifty dollars each; said bonds shall be signed by said township trustees and countersigned by the clerk of said township, and payable, interest and principal, at the office of the treasurer of said township at maturity according to the terms of the bonds.

SECTION 3. The trustees of said township shall annually levy such an amount of tax on all the taxable property of said township in addition to all other taxes authorized by law as will pay the interest on said bonds and the amount of the principal due for that year.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 6, 1893.  
263L

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[House Bill No. 1666.]

AN ACT

To divide Saybrook township, Ashtabula county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township of Saybrook, Ashtabula county, Ohio, be divided into two election precincts, by a line described as follows: Beginning at a point on the shore of Lake Erie in said township, where a line drawn through the center road in said township north and south and extended to the lake will intersect said point, running thence southerly

along said line and the center of said road to the center of the North Bend road, so called; thence easterly along the center of said North Bend road to the south line of lands of the Lake Shore and Michigan Southern railway company; thence easterly along said company's line to the east line of said Saybrook township. All that part of said township lying south and west of said line to be known as "precinct number one," and all of that part of said township lying north and east of said line to be known as "precinct number two."

SECTION 2. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,

*Speaker pro tem. of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 12, 1893.

280L

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[Senate Bill No. 557.]

### AN ACT

To authorize the commissioners of Ashtabula county to levy a tax for the purpose of erecting a bridge in the city of Ashtabula.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Ashtabula county be and they are hereby authorized, in addition to other taxes, to levy annually, for the term of three years, a tax not exceeding eight-tenths of one mill per annum upon all taxable property in said county, for the purpose of erecting a high level bridge across Ashtabula river in the city of Ashtabula. Said county commissioners are authorized to receive contributions in aid of the construction of said bridge and to apply the same to the part payment of the cost thereof. Before said commissioners are authorized to enter into a contract for the erection of said bridge, there shall be paid or secured to be paid to them by persons or corporations to be specially benefited by the erection of said bridge, a sum of money not less than ten thousand dollars as said commissioners may determine, which money shall be paid into the county treasury and placed to the credit of said bridge fund to be expended in part payment of the cost of the erection of said bridge as said commissioners may order.

SECTION 2. Said bridge shall be located upon or near an extension of Spring street, or upon or near an extension of Bank street, or upon or near an extension of Main street in said city, as said commissioners shall determine.

SECTION 3. Said commissioners may, at their option, submit the question of the location of such bridge upon each of the sites named in section two, to a vote of the qualified electors of the county, or to a vote of the qualified electors of those election precincts, situate in the vicinity of such proposed bridge, at a general or special election, of which at least ten days' notice shall be given by publication in two newspapers of general circulation within said county. Said commissioners shall prescribe the form of ballot to be voted and adopt such rules and regulations as may be necessary for the conduct of such election. The result of the vote of the electors at such election shall be

held to be advisory only, and shall not require said commissioners to select the site for the location of such bridge, for which the greatest number of such electors shall have voted.

SECTION 4. That this act shall take effect upon its passage.

ELVERTON J. CLAPP,

*Speaker pro tem. of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 20, 1893.

323L

[Senate Bill No. 440.]

## AN ACT

To empower trustees of townships and councils of villages to purchase a hearse and erect a vault for the use of joint cemeteries.

### [JEFFERSON TOWNSHIP AND VILLAGE.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in any case where a township and an incorporated village have united or shall hereafter unite for cemetery purposes, the trustees of such township and the council of such village at a joint meeting ( which they are hereby authorized to hold at any time for that purpose ), may levy a tax in such amounts as they shall determine, either to purchase a hearse or to erect a vault for the dead, for the use of such township and village, to be under the control of the trustees of cemeteries for such township and village, when there is a board of trustees; otherwise under the control of such trustees and council or some person appointed by them for that purpose; but the question of levying such tax for either or both of said purposes and the amount asked therefor shall be separately stated and submitted to the electors of such township and village at a general election, fifteen days' notice thereof having been previously given by posting notices in at least three public places in such township and village; the notice shall state specifically the amount to be raised and for what purpose; and if a majority of all the votes cast at such election is in favor of either or both of such propositions, the same shall be considered adopted and the tax herein provided for authorized.

SECTION 2. The voters voting at such election shall have placed upon their ballots the words "Tax for hearse—Yes," or "Tax for hearse—No;" and upon the same ballot "Tax for vault—Yes," or "Tax for vault—No;" and may vote for one proposition and against the other, or for or against both.

SECTION 3. When any tax for erecting a vault or the purchase of a hearse has been voted pursuant to the provisions of the first and second sections of this act, the trustees of such township and the council of such village may, in anticipation of such tax, issue bonds of such township and village in an aggregate amount not exceeding the amount voted, of denominations not less than fifty dollars, bearing interest at a rate not exceeding six per centum per annum, and payable not later than five years from the date thereof, and signed by the trustees of said township and the mayor and clerk of said village, and attested by the clerk of such township; and such bonds shall be paid from the tax so

voted, and the proceeds of the sale thereof shall be used solely for the construction of such vault or the purchase of such hearse in accordance with said vote.

SECTION 4. All taxes levied hereunder shall be uniform upon such township and village, and all proceedings of the trustees and council under this act shall be at joint meetings, and shall be recorded both by the clerk of such township and the clerk of such village, in the records of such township and village; and all taxes collected hereunder shall be paid into the treasury of such township and shall be known as "the vault and hearse fund," and shall be drawn from the treasurer upon the joint order of such trustees of the township and the council of such village.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed March 15, 1893.

138G

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[Senate Bill No. 483.]

### AN ACT

To authorize cities of the fourth grade of the second class to issue and sell bonds not exceeding fifteen thousand dollars (\$15,000) for the purpose of adding to and completing any electric light plant, owned by said city, and for the purpose of lighting the streets of such city and to furnish and sell electric lights for private use.

[ASHTABULA.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That cities of the fourth grade of the second class be and they are hereby authorized and empowered to issue and sell their bonds in any sum not exceeding fifteen thousand dollars (\$15,000) for the purpose of adding to and completing any electric light plant owned by such city and to furnish and sell electric lights for private use.

SECTION 2. Said bonds shall be issued and sold as are other bonds issued and sold under existing laws for other public improvements. They shall express upon their face the purpose for which issued and sold, the act of the general assembly of the state of Ohio under which authorized, shall be signed by the mayor and attested and registered by the clerk as are other bonds now authorized by law for public improvements.

SECTION 3. Said bonds shall run for a time not longer than twenty (20) years from the date of their issue and shall, together with interest, be made payable at such places as the council may direct.

SECTION 4. Said bonds shall draw interest at a rate not exceeding six (6) per cent. per annum, payable semi-annually. The money obtained from the sale of such bonds shall be paid into the hands of the treasurer, who shall hold and disburse the same as other funds. Before any of such bonds shall be issued and sold, the question of the issue and sale for the purpose herein specified shall be submitted to the qualified electors of



such city, at a regular or special election called for the purpose of voting on such question; the ballots used by such electors shall have written or printed thereon the words "To issue bonds for adding to and completing electric light plant—Yes," and "To issue bonds for adding to and completing electric light plant—No;" and if a majority of such electors voting on such question shall vote yes, then, and not otherwise, shall such city issue and sell its bonds as herein provided.

SECTION 5. That for the purpose of paying the said bonds at maturity and the interest thereon as it becomes due the council of such city is hereby authorized and empowered to levy a tax each year not exceeding one mill on the dollar valuation upon all the taxable property of such city in addition to the rate now authorized by law.

SECTION 6. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed March 15, 1893.  
139G

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## ATHENS COUNTY.

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[House Bill No. 1084.]

## AN ACT

To authorize the commissioners of Athens county, Ohio, to pay certain claims out of the bridge fund of said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Athens county be and they are hereby authorized to pay compensation and damages which may hereafter be awarded to land owners out of the bridge fund of said county by reason of the location, alteration or establishment of roads through their premises, which may be deemed of public utility and sufficient importance to justify the payment of said compensation and damages out of the county fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed January 27, 1893.  
27L

[House Bill No. 1452.]

## AN ACT

To authorize the board of education of the village school district of Jacksonville, Athens county, Ohio, to increase the annual tax levy.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of said village school district of Jacksonville, Athens county, Ohio, be and are hereby authorized to levy a tax on all the taxable property within said school district not exceeding three mills on the dollar, for each year, in addition to the levy now authorized by law, the same to be collected as other taxes, for the purpose of supporting and continuing the schools in said district.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed March 10, 1893.

118L

[House Bill No. 1589.]

## AN ACT

To authorize the council of the incorporated village of Athens, Athens county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Athens, Athens county, Ohio, be and are hereby authorized to transfer \$4,080.32 from the "public improvement bond interest fund," being the total amount in said fund, to the "road and street fund" of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed March 23, 1893.

191L

[House Bill No. 1498.]

## AN ACT

To authorize the county commissioners of Athens county, Ohio, to issue bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Athens county, Ohio, in order to meet and provide for an existing deficiency in the county fund of said county, be and they are hereby authorized to issue the bonds of said county for an amount not exceeding fifteen thousand (\$15,000.00) dollars. Said bonds to bear interest at a rate not exceeding six per cent. per annum,

payable semi-annually, and said bonds shall not be sold for less than their par value and accrued interest.

SECTION 2. Said bonds so issued shall be signed by the commissioners of said county of Athens and countersigned by the auditor, and shall be in denominations of not less than five hundred (\$500.00) dollars each, and shall have interest coupons attached, and said bonds and coupons shall be payable to the bearer at the office of the treasurer of said county of Athens, Ohio, at such times not exceeding five years as that an equal amount of said indebtedness, together with accruing interest, shall be paid annually, beginning one year from date of issue.

SECTION 3. That for the payment of the interest on and the final redemption of said bonds, the commissioners of said county are hereby authorized and required to levy taxes annually, in addition to the rate of taxes now authorized by law to be levied, at a rate not to exceed one-half of one mill on all the taxable property of said county, to meet the payment of said bonds and the interest thereon as the same become due and payable.

SECTION 4. Said bonds shall be sold and registered according to law, and the proceeds applied to the existing deficiency in said county fund of of said county.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 23, 1893.  
206L

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[House Bill No. 1771.]

## AN ACT

To authorize the council of the incorporated village of Nelsonville, Athens county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Nelsonville, Athens county, Ohio, be and is hereby authorized to transfer from the corporation fund to the street light or lamp fund the sum of one thousand (\$1,000.00) dollars.

SECTION 2. This act shall take effect and be in force from and after assage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 18, 1893.  
308L

[House Bill No. 1266.]

## AN ACT

To authorize any village in the state of Ohio which at the last federal census had, or which at any subsequent federal census may have, a population of not less than 1,280 nor more than 1,300, to borrow money and issue its bonds therefor, for the purpose of paying present indebtedness, procuring ground for cemetery, erecting house for fire engine and building cisterns for fire protection.

[GLOUSTER.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That any village of the state of Ohio, which at the last federal census had, or which at any subsequent federal census may have a population of not less than 1,280 nor more than 1,300 be and is hereby authorized to issue its bonds for an amount not exceeding seven thousand dollars for the purpose of paying present indebtedness, purchasing ground for cemetery, erecting house for fire engines and building cistern for fire protection.

SECTION 2. Said bonds to bear not to exceed six per cent. interest, payable semi-annually and to commence maturing three years from date of issue, at the rate of one thousand dollars per year. They shall express upon their face the purpose for which, and the act under which issued, and shall be signed by the mayor and countersigned by the clerk of said village and shall not be sold for less than par.

SECTION 3. The council of said village is authorized and required to levy a tax annually on the taxable property of said village in such amounts as will each year be sufficient to pay principal and interest on the said bonds as they may become due and payable by the terms thereof.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed February 21, 1893.  
68G

[Senate Bill No. 575.]

## AN ACT

To authorize any incorporated village of Ohio which at the last federal census had, or which at any subsequent census may have, a population of not less than 465 nor more than 480 to issue public improvement bonds.

[ALBANA.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That any incorporated village of Ohio which at the last federal census had, or which at any subsequent federal census may have, a population of not less than 465 nor more than 480, hereby is authorized : empowered to issue not to exceed five thousand dollars in amount of bonds to be styled "public improvement bonds," to be applied to improvement of its streets, or other public purposes.

SECTION 2. Before such bonds, or any of them, shall be issued, the council of such village shall, by resolution, duly adopted and published in a newspaper of said village, for one week, appoint a special election to be held therein in all respects, and otherwise herein provided, as municipal elections are now required by law to be held; and at such election the question of issuing such bonds shall be submitted to the qualified electors of said village. The tickets voted at such election shall have written or printed thereon the words: "Authority to issue bonds—Yes;" or "Authority to issue bonds—No." And if the proposition to issue such bonds shall be approved and voted for by two-thirds of those voting at such election, then, and not otherwise, such village shall have authority to exercise the rights and powers enumerated in this act.

SECTION 3. If the result of the vote to be taken, as is provided in the last section, shall be in favor of issuing said bonds, it shall be the duty of the council of such village to have the same printed in denominations of not less than one hundred dollars, to bear interest, payable semi-annually, at not exceeding six per centum per annum, to become due not more than ten years after the date thereof, principal and interest to be paid at such places as the said council shall determine. Said bonds shall be denominated "public improvement bonds," shall express on their face that they were issued under this act, and shall be sealed with the seal of such village, signed by the mayor and countersigned and registered by the clerk of such village, and shall be serially numbered.

SECTION 4. If the vote to be taken, as provided in section two of this act, shall result in favor of issuing such bonds, it shall be the duty of the mayor of such village, with the consent of two-thirds of the council thereof, to be expressed by resolution duly taken and recorded at a regular meeting of said council, to nominate and appoint six resident taxpayers of said village as a board of improvement, and the clerk of the village shall immediately notify such taxpayers of their appointment; and such taxpayers shall thereupon, in writing notify said mayor and council that such appointment is accepted, and such clerk shall file and preserve such acceptance and record the names of the persons constituting such board. In the event that any person so nominated shall fail to accept such appointment, it shall be the duty of said mayor and the council to fill up said board to the required number of six, in the manner provided in this section. And said board shall continue in existence for three years.

SECTION 5. The said board of improvement shall organize by selecting one of its members president and one as secretary; it shall keep a complete record of its proceedings and make a report thereof to the council of said village on the first day of January of each year of its existence; it shall have power to make contracts in the name of said village for the improvement of the streets of said village and for other public improvements thereof. It shall also have power to make contracts in the name of said village for the purchase of materials to be used in such public improvements, and may make down payments for such materials, giving security to its own satisfaction in the name of said village that person or persons with whom such contracts are made will perform parts of such agreements by him or them agreed to be performed.

SECTION 6. The bonds authorized by this act, on being completed, except as to date, shall be passed into the care and custody of said board of public improvement, and said board hereby is authorized to issue the

same; but said bonds shall be dated of the day they are issued and shall be of no effect until they are so issued by said board, and said bonds shall not be negotiated or issued at less than the par value thereof.

SECTION 7. The council of such incorporated village shall have power to levy a tax on the taxable property in such village, sufficient to pay the interest on such of said bonds as shall be issued by said board of public improvement, and create a sinking fund for the payment of the principal thereof.

SECTION 8. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed April 22, 1893.

356G

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[House Bill No. 1874.]

### AN ACT

To authorize the village council of any village which had at the last federal census, or which may have at any subsequent federal census, a population of not less than 2,610 nor greater than 2,630, to borrow money and issue bonds for the purpose of building a village prison.

[ATHENS.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village council of any village which had at the last federal census, or which may have at any subsequent federal census, a population of not less than 2,610 nor greater than 2,630, be and said city council is hereby authorized to issue bonds in any sum not exceeding five thousand dollars (\$5,000.00), bearing interest not to exceed five per cent. per annum, for the purpose of raising funds by the sale of the same, to build a village prison for said village, said bonds to be of the denominations of five hundred dollars each, payable semi-annually in ten years from their date, and redeemable any time after five years from date, at the option of said village; provided that such bonds shall not be sold for less than their par value.

SECTION 2. Said council is hereby authorized to levy such amount of taxes upon the taxable property of said village as may be necessary to pay the interest and principal of such bonds when the same become due. Said taxes to be levied and collected in the same manner as taxes for general purposes are levied and collected.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,

*Speaker pro tem. of the House of Representative*

ANDREW L. HARRIS,

*President of the Senat*

Passed April 27, 1893.

438G

## AUGLAIZE COUNTY.

[ Senate Bill No. 392.]

## AN ACT

To authorize and require the commissioners of Auglaize county to build a court-house.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Auglaize county are hereby authorized and required to construct a court-house at such point at the county seat of said county as, in their judgment, may be deemed most for the public good, and plans and specifications for the same shall be determined upon, and the contract, or contracts therefor, let according to law within six months after the passage of this act, which contract or contracts shall require the said building to be completed as soon as practicable.

SECTION 2. That the commissioners of said county are hereby authorized, if, in their opinion they deem it best for the public good, either to use the real estate now owned by the said county at the county seat as a site for said court-house, or to sell the real estate now occupied by the court-house together with the buildings thereon, for cash or upon such terms of credit as the commissioners may deem proper, and to purchase or acquire by donation or condemnation, as provided by law, new real estate for such court-house. Provided, that the proceeds arising from the sale of said real estate and buildings shall be applied to the payment of the bonds and interest thereon, that may be issued and sold under the provisions of this act.

SECTION 3. That when, in the opinion of said commissioners, it is necessary to purchase any such real estate for said court-house, and they and the owners are unable to agree upon its purchase and sale, the said commissioners are hereby authorized to appropriate such real estate according to law in such case. And if, [in] the opinion of such commissioners, it shall be necessary in locating said court-house to use and occupy any alley or part thereof therefor, they are hereby authorized to apply to the village council or the court of common pleas to have the same vacated according to law and to appropriate the right-of-way or easement therein of any lot owner, according to law.

SECTION 4. That the commissioners of said county, for the purpose of building said court-house and acquiring the necessary real estate therefor, are hereby authorized to borrow such sum or sums of money as they may deem necessary, not to exceed the sum of one hundred and twenty-five thousand dollars, at a rate of interest not to exceed five per cent. per annum, and issue bonds of said county to secure the payment of the principal and interest thereon; such interest shall be paid semi-annually, and the principal shall be paid at such times as the commissioners may prescribe within twenty-five years from the date of such indebtedness; said bonds to be sold for not less than their par value.

SECTION 5. That the bonds so issued shall have interest coupons attached, and signed by the commissioners or any two of them, and countersigned by the auditor, in sums of not less than one hundred or more than one thousand dollars each, payable to the bearer, at the county treasury, with interest as aforesaid, at such times not exceeding twenty-

five years after date as the commissioners may prescribe, and such bonds shall specify distinctly the object for which they were issued.

SECTION 6. The commissioners shall, annually, at their June session, levy such tax on all personal and real property in said county as will pay the interest on such indebtedness and the principal, as it matures, not to exceed ten thousand dollars in any one year.

SECTION 7. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed February 2, 1893.

39L

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[Senate Bill No. 496.]

### AN ACT

To increase the levy for the purpose of continuing the schools in the special district of Cridersville, Auglaize county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education in the special school district of Cridersville, in Auglaize county, be and they are hereby authorized to levy a tax for the years of 1893, 1894, 1895, 1896, 1897 and 1898, not exceeding two and five-tenths mills on the dollar, annually, on all of the taxable property in said special school district, in addition to the levy now authorized by law for continuance of the schools in said special school district; said tax to be levied and collected in the same manner as taxes for the common school fund are levied and collected.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 21, 1893.

148L

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[Senate Bill No. 521.]

### AN ACT

To authorize the trustees of Noble township, Auglaize county, to transfer fur

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Noble township, Auglaize county, Ohio, and they are hereby authorized to transfer the sum of four hundred dollars (\$400.00) from the road fund to the general fund; also one hundred dollars (\$100.00) from the ditch fund to the bridge fund.



SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 29, 1893.  
215L

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[Senate Bill No. 543.]

### AN ACT

To authorize the trustees of Goshen township, Auglaize county, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees [of] Goshen township, Auglaize county, Ohio, be and they are hereby authorized to transfer the sum of one hundred dollars (\$100.00) from the road fund, and one hundred dollars (\$100.00) from the bridge fund, and fifty dollars (\$50.00) from the poor fund, to the general or township fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,  
*Speaker pro tem. of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 12, 1893.  
279L

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[House Bill No. 1412.]

### AN ACT

To authorize certain villages to issue bonds for the purpose of completing and operating electric light plants.

[ SAINT MARYS. ]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village council of any village of the first grade having and owning an electric light plant, constructed under the provisions of an act of the general assembly entitled "An act to authorize villages of the first grade having a population at the last federal census of not less than three thousand (3,000) nor more than three thousand and thirty (3,030), or which may have such population at any subsequent federal census, to issue and sell bonds, but not exceeding fifteen thousand (\$15,000) dollars in amount, for the purpose of purchasing, erecting and owning electric light plants," passed March 3d, 1892, are hereby authorized and empowered to issue an additional amount of bonds of said village, not to exceed six thousand (\$6,000) dollars, at a rate of interest not to exceed six per cent. per annum, payable semi-annually, for the purpose of completing and operating such electric light plant.

SECTION 2. Said bonds shall be issued and sold as other bonds are issued and sold under existing laws for other public improvement. They shall bear date the date of issue, shall express upon their face the purpose for which issued and sold, the act of the general assembly of the state of Ohio by which said issue and sale are authorized, shall be signed by the mayor and attested and registered by the village clerk the same as other bonds are now authorized by law for public improvements, and said bonds, in the decretion of the village council, may have interest coupons attached.

SECTION 3. Said bonds shall be issued in denominations of not less than one hundred nor more than one thousand dollars, shall not run for a greater time than twenty-five years from the date of issue, and shall, together with interest, be made payable at such place as the council may direct.

SECTION 4. The money obtained from the sale of such bonds shall be paid into the hands of the treasurer of the board of trustees of the city gas-works in any village in which there is a gas-works, and to the village treasurer in all other villages, who shall hold and distribute the same under the orders of the village council.

SECTION 5. This act shall take effect on its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed March 10, 1893.

116G

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[House Bill No. 1839.]

## AN ACT

To authorize villages of the first grade having a population at the last federal census of not less than three thousand (3,000) nor more than three thousand and thirty (3,030), or which may have such population at any subsequent federal census, to sell its gas plant and real estate.

[SAINT MARVS.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That any village in the state of Ohio, of the first grade, having a population at the last federal census of not less than three thousand (3,000) or more than three thousand and thirty (3,030), or which may have such population at any subsequent census, be and the same hereby is authorized to sell and transfer its natural gas plant, consisting of its wells, leases of lands for gas or oil, gas pipes, fixtures, buildings, tools, machinery, other appliances of its gas plant and real estate.

SECTION 2. As a part of the consideration therefor, the said village may require the purchaser or purchasers thereof to enter into a contract on behalf of himself or themselves and his or their assigns with said village to faithfully and fully perform all and singular the covenants and conditions upon the part of said village to be done and performed of each and every contract heretofore entered into by said village to and with any person, persons, co-partnership or corporation; and such purchaser or purchasers shall, in such event, give full and satisfactory assurances and security to the satisfaction and approval of the village council, for the full and faithful performance of said contract by himself or themselves and his

or their assigns to said village and to said person, persons, co-partnership or corporation having such contracts with said village before said village gas plant, etc., shall be sold and transferred to such purchaser or purchasers.

SECTION 3. The sale and contract authorized by this act shall be made on behalf of said village by the council thereof and shall be executed and attested on behalf of said village by the mayor and clerk thereof officially.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 24, 1893.  
377G

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## BELMONT COUNTY.

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[House Bill No. 1174.]

### AN ACT

To authorize the city of Martin's Ferry, Belmont county, Ohio, to transfer certain funds therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the city of Martin's Ferry, county of Belmont, and state of Ohio, be and is hereby authorized to transfer two hundred and thirty and  $\frac{25}{100}$  dollars from the pump fund of said city to the general fund of said city.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed February 3, 1893.  
45L

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[House Bill No. 1731.]

### AN ACT

To authorize the trustees of Pultney township, Belmont county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Pultney township, Belmont county, Ohio, be and they are hereby authorized to transfer the sum of four hundred and

four dollars and fifty-four cents (\$404.54) from the pike fund to the road fund of said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 11, 1893.  
271L

[House Bill No. 1598.]

### AN ACT

To authorize the commissioners of any county in the State of Ohio which at the federal census of 1890 had, or which at any subsequent federal census may have, a population of not less than 57,413 nor more than 57,450 to borrow money or to issue and sell bonds to pay the present county and bridge fund indebtedness, and to levy a tax to pay said borrowed money or bonds and interest as same become due.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of any county which at the federal census of 1890 had, or which at any subsequent federal census may have, a population of not less than 57,413 nor more than 57,450, for the purpose of raising money to pay the county and bridge fund indebtedness of said county owing at the time of the enactment of this law, and for no other purpose, be and the same are hereby authorized and empowered to borrow money or to issue and sell the bonds of said county in an amount not exceeding one hundred and forty thousand dollars (\$140,000). If said commissioners borrow said money it shall be at a rate not exceeding six per cent. per annum, payable semi-annually, and for a time not exceeding eight years from the date of the first loan; and if they issue bonds they shall specify distinctly the purpose for which they are issued, and each shall be in denominations of not less than one thousand dollars and not more than five thousand dollars, bearing interest at a rate not exceeding five per cent. per annum, payable semi-annually, and redeemable at such times as said commissioners may determine, not more than eight years from their date. Said bonds shall be signed by the commissioners, or any two of them, and countersigned by the auditor of said county, and the interest coupons shall be signed by the auditor, and the bonds and interest coupons shall be payable to bearer at the county treasury of said county when the same becomes due.

SECTION 2. Said bonds shall have the proper interest coupons attached, and shall be correctly numbered in the order in which they are issued, and registered by the auditor of said county in a book by him to be provided and kept in his office, and all warrants drawn upon the treasurer of said county for the payment of the principal and interest on such bonds, shall specify the fund on which they are drawn; and the auditor shall, upon delivering to the holder of any such bond a warrant upon the treasurer for the redemption of the same, receive such bond and for with write across the face of the same, in red ink, the word "redeem" with the proper date, and sign his name thereto; the treasurer, upon receiving such warrant, which contains the number of the bond for the

demption of which the same is drawn, shall proceed forthwith to the office of the auditor, and there, in the presence of the auditor, write in red ink across the registry of such bond the word "redeemed," with the proper date, and sign his name thereto, when the auditor shall deliver to him the original bond, for which he shall be credited in his semi-annual settlements with the auditor and commissioners.

SECTION 3. Said bonds shall be sold to the highest bidder after being advertised three times, weekly, in not less than two newspapers having a general circulation in said county; and further advertised in a newspaper having a general circulation in the state of Ohio, three times, weekly. The advertisement shall state the total amount of bonds to be sold, the amount of each bond, how long they are to run, the rate of interest to be paid thereon, whether annually or semi-annually, the title of the law, and the date of its passage authorizing their issue, the day, hour and place in the county where they are to be sold. None of said bonds shall be sold for less than the face value thereof, with any interest that may have accrued thereon; and the privilege shall be reserved of rejecting all or any bids, and if said bids are rejected said bonds shall again be advertised; all moneys arising from premiums on sale of said bonds, as well as the principal, shall be credited to the funds on account of which the bonds are issued and sold.

SECTION 4. That for the purpose of paying the interest on said borrowed money or bonds, and the principal of the same as they become due, and the cost of the bonds, and advertising the same for sale, and for no other purpose, the said commissioners are hereby authorized to levy a tax, in addition to the levy now authorized by law, not to exceed one mill upon each dollar of the valuation of the taxable property within said county, at their June session of the years 1893, 1894, 1895, 1896, 1897, 1898, 1899 and 1900, the same to be entered on the tax duplicate of said county and collected as other taxes are now collected.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 13, 1893.  
253G

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## BROWN COUNTY.

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[ House Bill No. 966.]

### AN ACT

To authorize the town council of the incorporated village of Russelville, Brown county, Ohio, to erect a town hall, finish off and furnish the same and to issue bonds and levy a tax therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Russelville, Brown

county, Ohio, be, and they are hereby authorized and empowered to issue its bonds, not exceeding three thousand dollars, for the purpose of erecting a town hall on what is known as the public square in the incorporated village of Russelville, finish off and furnish the same.

SECTION 2. Before such bonds shall be issued or tax levied, the question of issuing said bonds and levying of a tax therefor, the same shall be submitted to a vote of the qualified electors of said incorporated village at any annual municipal election or at any special election held for that purpose, of which not less than ten days' notice shall be given by posting copies of said notice at not less than five of the most public places in the corporation at least ten days before said election. Said notice shall specify the object for which said election is to be held, the amount of bonds proposed to be issued, with rate per cent. of interest they are to draw and number of yearly levies to be made; the tickets voted at said election shall have written or printed thereon, "Authority to issue bonds—Yes," or "Authority to issue bonds—No." If the proposition to issue is approved by a majority of all the voters voting at said election, the council of said village shall have authority to issue its bonds for an amount designated in section one of this act and to levy a tax therefor as hereinafter provided.

SECTION 3. Said bonds, when so authorized to be issued, shall be signed by the mayor of said village, countersigned by the village clerk and shall bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, and at such place as the council may designate; said bonds shall be issued by the council of said village in denominations of not less than fifty nor more than two hundred dollars, the bonds of each denomination to be numbered consecutively beginning with number one, and shall mature from one to ten years; they shall express on their face the purpose for which issued and shall not be sold for less than their face value.

SECTION 4. No more such bonds shall be sold than is necessary to erect said town hall and finish off and furnish the same. Said bonds to be sold from time to time as the work progresses and in such amounts as shall be required and made necessary for the completion of the same.

SECTION 5. For the purpose of carrying out the provisions of this act, the council are hereby authorized and required to levy annually at the time of making other levies a tax not exceeding two mills on the dollar upon all the taxable property of the said incorporated village, an amount sufficient to pay said bonds, with accrued interest, as they become due.

SECTION 6. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed January 17, 1893.

8L

[House Bill No. 1065.]

## AN ACT

To authorize the commissioners of Brown county, Ohio, to transfer certain funds

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Brown county be and they are hereby authorized to transfer the sum of eight thousand dollars from the infirm-ary fund to the children's home fund for the purpose of paying bonds issued against the funds of the children's home.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed January 27, 1893.  
26L

[House Bill No. 726.]

## AN ACT

To authorize the commissioners of Brown county to construct a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Brown county, Ohio, be and they are hereby authorized to construct a free turnpike road, beginning in the Higginsport and Feesburg free turnpike road near the residence of Samuel Maranda, thence with and over the Shinkle's ridge road, passing the residences of Michael Shinkle, Walter Shinkle and the ridge church and cemetery and residence of W. W. Clark, to the late residence of Joseph Metzger and gate of Wm. Sargent.

SECTION 2. That said county commissioners may, if they deem it best, issue bonds for the construction of said road; provided, said bonds shall not bear interest at a higher rate than five per cent. per annum, payable annually, and shall not be sold for less than their par value; provided, further, that said bonds may extend to such time as they can be paid at a levy of one-half of a mill on the dollar levy on the tax duplicate of said county.

SECTION 3. That said commissioners shall, before proceeding to construct said road or any part of the same, require and secure from those interested in said improvement, a subscription or donation equal in amount to twenty per centum of the cost of said improvement, to aid in construction of the same.

SECTION 4. That for the purpose of paying for said improvement, the bonds issued therefor, the county commissioners are hereby authorized to levy and assess a tax, not exceeding one-half of a mill on the dollar, annually, on any and all taxable property of said county.

SECTION 5. That the commissioners in locating said free turnpike may depart from the line of the old road wherever they may think it advisable.

SECTION 6. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed January 30, 1893.  
29L

[House Bill No. 1379.]

### AN ACT

To authorize the trustees of Huntington township, Brown county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Huntington township, Brown county, be and they are hereby authorized and empowered to transfer the sum of five hundred dollars from the general township fund to the road fund of said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed March 1, 1893.  
92L

[House Bill No. 1377.]

### AN ACT

To amend section 1 of an act entitled "An act to authorize the commissioners of Brown county to construct a free turnpike road from Russellville to Arnheim.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 1 of an act passed February 18, 1891, entitled "An act to authorize the commissioners of Brown county to construct a free turnpike road from Russellville to Arnheim," be amended so as to read as follows:

Sec. 1. That the commissioners of Brown county be and they are hereby authorized to construct a free turnpike from Russellville to Arnheim on the following route: Beginning at a point at or near the M. church in Russellville, thence as near as practicable on the old road leading to Arnheim, running on and near said road through the lands Reson Schatzman, Joseph Schatzman, Charles Schatzman, Jacob Mill and Levi Dunn, terminating at a point on the Ripley and Arnheim turnpike, near the residence of Levi Dunn.

SECTION 2. That said section 1 of an act entitled "An act to authorize the commissioners of Brown county to construct a free turnpike fr



Russellville to Arnheim," passed February 18, 1891, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 6, 1893.  
252L

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[House Bill No. 1288.]

### AN ACT

To authorize the commissioners of Brown county to construct a free turnpike road in said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Brown county be and they hereby are authorized and empowered to locate, build and construct a free turnpike in said county by straightening, grading, graveling and macadamizing the same, on and over the following route as nearly as practicable, to wit: Beginning at the most convenient point in the New Hope and Bethel free turnpike road, near the residence of L. Neal; thence over the dirt road passing said Neil's residence to and through Surreyville; thence with said dirt road and the west line of Custis Kendall's survey, No. 2074, and through the lands of J. R. Prickett and E. D. Boyd to the line between Thomas Creamer and S. J. Boyd and thence to the Mt. Oreb and Williamsburg free turnpike, somewhere near the residence of Mrs. Boyd.

SECTION 2. If, in the opinion of the commissioners, public convenience and utility demand and require the construction of a turnpike over the route described in the preceding section, they may so find the fact and declare the same and make entry thereof on their journal; and thereupon said commissioners shall call to their assistance the county surveyor, and shall at once proceed to view, locate and establish a road over and upon the route aforesaid, or as near thereto as in their judgment may be practicable; and at the same time said commissioners and surveyor shall establish and fix the boundaries of said road by including therein all land and lots within one mile of the two sides thereof, the ends to be excluded; and said commissioners and surveyor shall make and return to the county auditor a true and accurate map and description of said road as established by them, together with a complete description of all the lots and lands included within the boundaries of said road.

SECTION 3. After the costs of said improvement are ascertained, which costs shall include the expenses of fixing and establishing said road, determining the boundaries thereof, and furnishing the description of the lots and lands included therein, all bridges and culverts along the route thereof, and all costs, expenses and damages incurred by the county in appropriating or procuring any real property for the right of way for said road, said commissioners shall levy a tax on all the taxable property within the boundaries of said road as fixed, determined and established by them as herein provided, sufficient to pay twenty per

centum of the costs of said improvement as herein defined, and shall levy a tax on all the taxable property within said county to pay the remainder of the costs of said improvement; and the territory included within the boundaries, as hereinbefore defined, is hereby created a special tax district for the purpose of taxation, as herein provided.

SECTION 4. Said commissioners may, before granting or establishing said road, require from any person interested in the construction thereof, a donation of the right of way or any ample bond to secure the same, conditioned to reimburse the county for all costs, expenses and damages, of whatever description, occasioned by reason of having to appropriate any property for the right of way for said road.

SECTION 5. Said commissioners may, in anticipation of the collection of said tax, issue the bonds of said county, to the amount of the probable cost of said improvement, bearing interest at a rate not exceeding six per cent. per annum, payable semi-annually, which bonds shall not be sold for less than their par value, and the time of payment thereof shall not extend beyond five years.

SECTION 6. The powers and duties of the commissioners, auditor and treasurer, in addition to the duties herein prescribed, shall be the same as are required by the provisions of chapter VI, title 7 of the Revised Statutes of Ohio, and all acts amendatory thereof, and supplementary thereto, not in conflict with the provisions of this act.

SECTION 7. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed April 11, 1893.  
265L

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[House Bill No. 1378.]

## AN ACT

To authorize the commissioners of Brown county to construct a free turnpike road from Carlisle to the Winchester and Russellville pike.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Brown county, Ohio, be and they are hereby authorized to build and construct a good and sufficient free turnpike, beginning at Carlisle and on the old road leading to Decatur, to the corner of T. C. McNown land, and through the land of T. C. McNown to a point in the old road near the residence of T. C. McNown, thence on the line of the old road to the corner of Alex. Frazier's land, and through the land of Alex. Frazier to the old road near the residence of said Alex. Frazier, thence on the old road and ending at Baird's school-house on the Russellville and Winchester free turnpike.

SECTION 2. That said commissioners shall, before proceeding to construct said road or any part of same, require and secure from those interested in said improvement, a subscription or donation equal in amount to twenty per centum of the cost of said improvement, to aid in the construction of the same.

SECTION 3. For the purpose of paying eighty per centum of the entire cost of the construction of said free turnpike road, the commissioners are hereby authorized to levy a tax upon the grand duplicate of the county for the payment of the same.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 11, 1893.  
266L

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[House Bill No. 1662.]

### AN ACT

To authorize the board of education of Russellville corporation school district, to levy additional taxes for school purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Russellville corporation school district, Brown county, Ohio, in addition to all other taxes, authorized to be levied and assessed by them for school purposes, are hereby authorized and empowered to levy annually on each dollar of valuation of taxable property within said corporation, the sum of three mills; and have the same placed on the tax duplicate of said corporation to be collected in the same manner as other taxes are collected.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,  
*Speaker pro tem. of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 14, 1893.  
302L

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### BUTLER COUNTY. \*

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[House Bill No. 1156.]

### AN ACT

To authorize cities of the second class, fourth grade, that had at the last federal census, or which may have at any future federal census, a population not less than 7,680 and not more than 7,690 to issue the bonds of said, cities for sewerage and street improvement purposes.

[MIDDLETOWN.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the councils of all cities of the second class, fourth grade, at had at the last federal census, or that may have at any future federal census, a population of not less than 7,680 and not more than 7,690 be

and the same are hereby authorized to issue the bonds of the said cities, in the sum not exceeding forty thousand dollars (\$40,000.00), as herein-after provided, for the purpose of raising money to be used and applied in completing a system of sewerage for necessary drainage and sanitary protection, and the improvement of the streets and highways within the corporate limits of the said cities.

SECTION 2. The said bonds shall be of the denomination of one thousand dollars (\$1,000.00) each, and shall bear interest at any rate not exceeding five per cent. per annum, payable semi-annually, evidenced by proper interest coupons, and they shall be due and payable at such times and places as the said councils may by ordinance determine and direct.

SECTION 3. That for the purpose of paying the bonds issued under the provisions of said act, and the interest thereon, as the same shall become due, the said councils are hereby authorized and empowered to levy and assess a tax, upon all taxable property within the corporate limits of the said cities, in addition to the amount now authorized by law, and to be collected yearly as other taxes, for and during the period the said bonds may run, to pay the interest and redeem said bonds issued in pursuance of this act, and the money so raised by taxation shall not be used for any purpose other than for the payment of said bonds and the interest thereon, and the improvement of streets and highways in said cities.

SECTION 4. Before issuing any of said bonds the council shall submit the question of issuing the same to the qualified electors of said cities, at some special or general election, as the council may, by resolution determine, and in either case giving notice thereof, at least ten days previous thereto, by publication in two newspapers published and of general circulation in said cities. The tickets shall have printed or written thereon the words "Issue of bonds for sewer and street improvements—Yes;" "Issue of bonds for sewer and street improvements—No." If a majority of those voting on said proposition shall be in favor of issuing said bonds, then, and then only, shall said councils issue said bonds as hereinbefore provided.

SECTION 5: This act shall take effect and be in full force from and after its passage.

ELVERTON J. CLAPP,

*Speaker pro tem. of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed February 17, 1893.

64G

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[Senate Bill No. 379.]

### AN ACT

To authorize cities of the second class, fourth grade, that had at the last federal census or which may have at any future federal census a population of not less than 7,680 and not more than 7,690, and which have a water-works in operation, to issue bonds of said city for the purpose of providing funds to pay for extending the water-mains in said city for fire protection and domestic uses.

[MIDDLETOWN.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the councils of all cities of the second class, fourth grade

that had at the last federal census or that may have at any future federal census a population of not less than 7,680 and not more than 7,690 be and the same are hereby authorized to issue and sell the bonds of the said cities in the manner prescribed by law, in the sum of ten thousand dollars (\$10,000.00), for the purpose of providing a fund to pay for the costs and expenses of extending the water-mains in said cities, for the purpose of giving the inhabitants thereof better fire protection and to supply the said inhabitants with pure water for domestic purposes.

SECTION 2. The said bonds shall be known as "Water-works extension bonds," and be of the denomination of one thousand dollars (\$1,000) each, and shall bear interest at any rate not exceeding five per cent. per annum, payable semi-annually, evidenced by proper interest coupons, and they shall be due and payable at such times and places as the said councils may by ordinance determine.

SECTION 3. The said councils are hereby authorized to annually levy and assess in addition to the amounts now authorized to be levied and assessed by the statutes of Ohio, a sum sufficient to provide a fund for the payment of the said bonds and the interest thereon as the same shall become due and payable.

SECTION 4. The sum realized from the sale of the said bonds shall be paid into the city treasury, and shall be used for no other purpose other than the extension on the enlargement of the water-mains and their connections.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed March 14, 1893.

122G

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[Senate Bill No. 492.]

### AN ACT

To create a special school district composed of territory of parts of Oxford township, Butler county, Ohio, and of Israel township, Preble county, Ohio; and to provide for the issue and sale of bonds for the purpose of purchasing a site and erecting and furnishing a school building thereon, for the use of said special school district.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following described territory, being parts of Oxford township, Butler county, Ohio, and of Israel township, Preble county, Ohio, to wit: Commencing at a point where the line dividing Butler county and Preble county intersects the state line between the state of Ohio and the state of Indiana, thence north on said state line 7,652 feet, thence north  $98\frac{3}{4}$  degrees, east 2,454 feet, thence south 2,838 feet, thence north 87 degrees, east 6,064 feet, thence south 2,631 feet, thence north 89 degrees, east 482 feet, thence south 2,657 feet to a point on the line dividing Butler and Preble counties; thence west on said line 5,420 feet more or less, thence south 4,216 feet, thence north 89 degrees, west 500 feet, thence south 1,281 feet, thence north  $89\frac{3}{4}$  degrees,

west 1,120 feet, thence south  $\frac{1}{2}$  degree, east 2,647 feet, thence west 2,081 feet to the state line dividing the states of Ohio and Indiana, thence north on said state line 8,150 feet to the beginning point, (the territory included between said boundary lines comprising all of district No. 7, Oxford township, Butler county, Ohio, and district No. 8, Israel township, Preble county, Ohio,) is hereby created and declared to constitute a special school district to be known and designated as "the College Corner special school district." All the school property situated within said described territory shall become the property of said "College Corner special school district," and said special school district shall be entitled to receive the funds levied for school purposes in said territory.

SECTION 2. Such special school district shall be governed and controlled in all respects by such laws as are now or may hereinafter be in force relating to special school districts; provided, there shall be elected in such special school district on the second (2d) Monday in April next, three (3) members of the board of education; one (1) to serve for one (1) year; and one (1) to serve for two (2) years; and one (1) to serve three (3) years, as provided by law. Notice of such election shall be given as required by law.

SECTION 3. For the purpose of purchasing a site, erecting and furnishing a school-house for said special district, the board of education of said special district is hereby authorized and empowered to issue and sell the bonds of said district in a sum not exceeding six thousand five hundred dollars (\$6,500). Said bonds shall be signed by the president and countersigned by the clerk of the board, and shall be issued in denominations of not less than \$100 each, and shall bear interest at a rate not to exceed six per cent. per annum, payable semi-annually; they shall be issued at such times and in such amounts as the board may require, and made payable at such periods of time as the board may determine, not exceeding the period of twenty years; they shall be sold at not less than par value, legal notice of such sale being given, and may be made payable at such place as the board may determine.

SECTION 4. Said board of education shall keep a record of said bonds and the payment thereof, and shall annually cause the necessary taxes to be levied upon all the taxable property in said district to pay said bonds and the interest thereon as the same shall become due.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 22, 1893.  
151L

[Senate Bill No. 442.]

## AN ACT

To abolish the office of marshal in certain cities.

[MIDDLETOWN.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in all cities of the fourth grade of the second class that hac

at the last federal census a population of not less than 7,670 or more than 7,690, or which at any future federal census may have such a population, the office of marshal be and the same is hereby abolished.

SECTION 2. The duties heretofore imposed upon the marshals of said cities shall be performed by the chief of police, who shall be appointed by the mayor, subject to the approval and confirmation by the council of said cities, for the term of one year, commencing on or before the second Friday of April.

SECTION 3. The said chief of police shall perform all the duties imposed upon such officers by the statutes of Ohio, and the ordinances of said cities, and he shall receive such compensation for his services, in addition to the fees allowed by law, as the said council shall, by ordinance, determine; but such compensation shall not be increased or diminished during his term of office, and that section 1707 and all supplementary sections thereto, in so far as they are in conflict with this act, shall be held not to apply to cities of the different grades and populations as enumerated in section 1 of this act.

SECTION 4. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,

*Speaker pro tem. of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed March 31, 1893.

206G

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[Senate Bill No. 419.]

## AN ACT

Authorizing an additional levy in Butler county for county purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Butler county, Ohio, in addition to all other taxes authorized to be levied and assessed in said county, including that for roads, bridges, county buildings, sites therefor, and the purchase of land for infirmary purposes, and for county purposes, are hereby authorized and empowered to levy, annually, on each dollar of valuation of taxable property within said county, eight-tenths of a mill, and place the same upon the grand tax duplicate of said county, to be collected in the same manner as other taxes are collected.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed March 30, 1893.

219L

[Senate Bill No. 512.]

## AN ACT

To authorize certain cities to make improvements and to issue bonds for the payment of the same in anticipation of the assessment.

[HAMILTON.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That city councils of any city of the third grade of the second class, having a population at the last federal census of not more than 17,600 nor less than 17,500, or which at any future federal census may have such population, shall have power, whenever the council of any such city deems it expedient and necessary, to grade, gravel, curb and gutter the streets, and pave the sidewalks of all new streets not already improved in such cities, with full power and authority to control the work and make all such improvements at the same time; and when it deems it expedient and necessary to repair any street or portion thereof heretofore improved, by grading, graveling, curbing and guttering the same and paving the sidewalks, it shall have like power and authority to control the work and make all such improvements, and to ordain that said improvements shall be paid for and assessed upon the property abutting on the same in accordance with the various provisions of this act, and in accordance with the various provisions of law now enacted, or hereafter enacted, applicable thereto, and not inconsistent with this act.

SECTION 2. Before any such improvements contemplated by this act are commenced, the council shall, as far as applicable, adopt uniform plans and specifications for graveling, for curbing and guttering, and for paving the sidewalks, modified only to suit existing necessities in different localities of the city; but in all cases where new streets are made, or old ones repaired or improved, the crown of the street shall be made a nearly flat uniform curve, from curb to curb, without ditch gutters and in such manner as to give all wheeled vehicles the full use of the roadway up to the face of the curb, after the plan of streets in the cities of Philadelphia and New York. Before any such improvements are commenced the city civil engineer, upon the order of council, shall make and submit plans and estimates of the proposed cost of making the same and present the same to council for acceptance and approval; and if said plans are adopted, council shall pass the necessary resolution declaring its intention to improve such new streets, or repair old ones, which resolutions shall be published in a newspaper of general circulation in such city for a period of two weeks; which resolution shall be sufficient notice to all owners, agents and trustees of property abutting and abounding along the line of such streets as to legally bind them to the payment of all assessments against said property, to pay the cost of making said improvement or repairs.

SECTION 3. When any such city makes an improvement or repair, provided for in this act, the cost of which exceeds two hundred and fifty dollars, it shall proceed as follows:

*First.* It shall advertise for bids for a period of two weeks, or if the estimated cost exceeds five thousand dollars, four weeks, in two newspapers published in the corporation.

*Second.* The bids shall be filed with the city clerk, sealed up at such hour on the last day, as stated in the advertisement.



*Third.* The bids shall be opened at the first regular meeting of the council on or after the last day for filing the same, and publicly read and entered on the journal in brief.

*Fourth.* Each bid shall contain the full name of every person interested in the same, and shall be accompanied by a sufficient guaranty of some disinterested person, that if the bid is accepted, a contract will be entered into and the performance of it properly secured.

*Fifth.* If the work bid for embraces both labor and material, they shall be separately stated, with the price thereof. The bid shall include the price to be paid for grading and graveling, curbing and guttering the streets, and paving the sidewalks.

*Sixth.* None but the lowest responsible bid shall be accepted, when such bids are for the labor or material separately; provided, that when the character of the material of the improvement has not been determined upon before the bids are received, that the lowest responsible bid for the improvement, with the material determined upon after the bids have been received, shall be accepted; but the council may, in its discretion, reject any or all the bids, or it may, at its discretion, accept any bid for both labor and material, which may be the lowest aggregate cost of such improvement or repairs.

*Seventh.* Bids must be made on blank forms furnished by the city civil engineer, with necessary bond attached thereto, properly filled out and signed, and no bid, unless properly filled out and signed, shall be entertained by the council.

*Eighth.* The contract shall be between the corporation and the bidder, and the contractor shall take in payment for such work the bonds of such city at par, issued in pursuance of this act.

*Ninth.* If two or more bidders are equal in the whole or any part thereof, and are lower than any others, either may be accepted; but in no case shall the work be divided between them.

*Tenth.* When there is reason to believe there is collusion or combination between the bidders or any number of them, the bids of those concerned therein shall be rejected.

*Eleventh.* In no case shall any improvement or repairs be divided up in such manner as to bring the cost of each portion below the two hundred and fifty dollars first mentioned in this section.

**SECTION 4.** The cost of improving any such streets shall be equally assessed on the real estate abounding and abutting thereon, and when the city council of any such cities shall have resolved to improve any such streets and sidewalks, and shall have made such assessments on said real estate abounding and abutting thereon, it shall cause notice of said assessments to be published as required by law. After such improvements shall have been made and completed, the city clerk of such city shall certify said assessments to the auditor of the county in which said city is located, and by him shall be placed upon the tax duplicate of the county and collected in the same manner as other taxes are collected, and he shall place the same to the credit of the street improvement fund, and the same shall be a part thereof. Such assessments shall be payable in ten equal annual instalments, or less, to meet said bonds provided for in the ordinance or resolution ordering said improvements, at the county treasurer's office, with interest at the rate provided in said bonds, payable semi-annually from the date to which said semi-annual interest was computed on the amount of said bonds, or so much as remains unpaid, from time to time, until all of said bonds and interest are fully paid.

SECTION 5. Such assessments, with the interest accruing thereon, shall be a lien on the property abutting upon the street or avenue from the time the contract is entered into for the making of said improvement, and shall remain a lien until fully paid, having precedence of all other liens, except taxes, and shall not be divested by any judicial sale, unless the payment of the same is provided for from the proceeds of such sale; provided, such lien shall be limited to the usual depth of the lot or lands abutting on said improvement. No mistake in the description of the property or the name of the owner or owners, shall impair the said lien.

SECTION 6. Any owner of property against whom an assessment shall have been made for such improvement, shall have the right to pay the same, or any part yet remaining unpaid, in full, with interest thereon, to the next semi-annual payment due on said assessment; provided, that if the owner of any such property, within ninety days after the assessment shall have been made, may pay to the treasurer of such city the entire amount of such assessment on his or her property, less a rebate of 6 per cent per annum, and such treasurer shall give to the person paying such assessment a receipt in full, and shall, at the end of ninety days, certify such payments to the auditor of said county, who shall place upon the tax duplicate opposite the property so assessed the indorsement "assessments paid to city treasurer," such payment shall discharge the lien on the property. If any owner shall subdivide any abutting property after such lien attaches, he may discharge the same upon any part thereof in like manner.

SECTION 7. All moneys received from such assessments shall be appropriated by the proper authorities of the cities solely to the payment of the interest and redemption of bonds issued for said improvement, or any renewal thereof. If any bond or interest shall be due, and no money is in hand to pay the same, the city shall be authorized to make a temporary loan to pay the same; but such lien shall continue in full force on the abutting property for the full assessment not paid, and accruing interest for such temporary loan, in behalf of such city.

SECTION 8. When such ordinance is enacted the council of such city may designate two or more owners of property abutting on said improvement, who, with the city civil engineer, shall constitute a board, which, after the contract for the improvement has been made by the council under section 2 of this act, may elect a superintendent who shall see that the said contract is performed according to its true intent, and all orders of the engineer in furtherance are obeyed. When completed the said superintendent, if such is appointed, and the engineer, and in case no such superintendent is appointed, then the engineer alone, shall certify to the same, and shall make a proper plat and assessment for said improvement on the abutting property. The property owners on such board shall serve without compensation, but the superintendent, if one is appointed, shall be paid such compensation as shall be agreed upon by said board, and such payments shall be included in the cost of said improvement thereon. In making an improvement or repair, provided for in this act, when the whole work is done, the amount of bonds sold to pay for the same, and the interest thereon to the next interest day, when assessments can be collected as hereinafter provided to pay the same shall be taken as the cost of the said improvement or repair to be paid by the abutting property owners, and if no bonds are issued then the cost of the whole work done, including advertising, the compensation allowed the superintendent provided for in section 8 of this act, and all other

necessary costs, shall be taken as the cost of said improvement or repair to be paid by the abutting property owners, and that amount shall be assessed equally by the front foot of property fronting or abutting on said improvement or repair.

SECTION 9. In order to provide for the payment of the cost and expense of said improvements to be assessed upon the abutting property, the councils may from time to time (as such improvement progresses) issue the bonds of such city in such sums as will be required, in all to an amount not exceeding the contract price of the work and the other expenses attending the same, and the interest as heretofore provided for; said bonds shall be issued as other bonds of such city are issued, but they shall bear the name of the street or avenue to whose improvement they are issued, and shall state therein that they are to be paid by assessment upon the property abutting on said improvement; said bonds shall extend over a period as shall by council be determined; but in every case a period not less than that covered by the annual instalment of the assessment to be provided in the ordinance directing the improvement; they shall bear interest at a rate not exceeding 6 per cent. per annum, payable semi-annually on the first day of January and July, and principal and interest payable at the office of the city treasurer.

SECTION 10. The contractor shall not be paid in bonds as heretofore provided for said work, except upon the certificate of the city civil engineer and superintendent if one is appointed, heretofore provided for, that the work has been done according to the contract. When the whole work is done, the amount of the bonds issued to pay for the same, and the interest thereon to the next interest day, when assessments can be collected as heretofore provided to pay the same, shall be taken as the cost of said improvement to be paid by the abutting property owners, and that amount shall be assessed equally by the front foot of property fronting or abutting on the said improvement; except in the case of corner lots where the improvement is on the street that parallels the depth of the lot, in which case said corner lot shall be assessed in proportion to the other lots fronting on said street.

SECTION 11. That in cities of the third grade of the second class, having a population at the last federal census of not more than 17,600 nor less than 17,500, or which at any future federal census may have such a population, the council for the purpose of more fully carrying out the provisions of this act, are not required to be governed in the execution thereof by section 2683 of the Revised Statutes, and section 2370 of the Revised Statutes, as amended April 25, 1885, and shall not apply to any improvements herein provided for where assessments are made for the same; and where bonds are to be issued from time to time for the improvements, and has been so ordained in the resolution or ordinance, the money shall be deemed to have been raised and set apart for the improvement, and the clerk of said city in such cases is authorized to make the necessary certificate as provided in section 2702 of the Revised Statutes.

SECTION 12. In any action to enforce or enjoin any assessment, the court shall disregard any irregularity or defect, whether in the proceedings of [the] council or the board heretofore provided for, if one is appointed, or any officer of the corporation, or in the plans or estimates, and the acceptance of the work by the council upon the certificate of the engineer shall be presumptive evidence that the contract has been complied with and the assessment exists; but if it be shown that there is any substantial defect of the improvement, or any fraud in the contract price

of the work or material, the court may order such deduction therefor from the cost of said improvement, and such deduction shall be ratably deducted from the assessments and all the property abutting on said improvement, and the court may make such order in regard to the costs, where such substantial defect or fraud is found, as to the court shall seem proper.

SECTION 18. The term "owner" in this act shall be construed to include all corporations, private, public, county or municipal.

SECTION 14. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 18, 1893.  
276G

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[Senate Bill No. 468.]

## AN ACT

To authorize certain cities to construct improvements hereinafter mentioned, and to issue bonds for the payment of the same.

[HAMILTON.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That city councils of any city of the second class, third grade, having a population of not more than seventeen thousand five hundred and seventy nor less than seventeen thousand five hundred and sixty by the last federal census, or which at any subsequent federal census may have such population, shall have power, whenever the council of any such city deem it necessary or expedient, to make any one or all of the improvements provided for in subdivision 5, chapter IV, division 7, title 12, Revised Statutes of Ohio, and may make any or all of said improvements at one time or separately, and at different times, as may, in the judgment of council, be most conducive to the interests of the tax payers and inhabitants of the corporation.

SECTION 2. For the purpose of providing the means for paying the costs and expenses of making any one or all of the improvements authorized by the first section of this act, the council of such municipal corporation shall have power to issue its bonds for any amount not exceeding, in the aggregate, two hundred thousand dollars, which bonds may be made to run any length of time, not exceeding fifty years, and at a rate of interest not exceeding five per cent. per annum, payable semi-annually, principal and interest payable at the city treasurer's office. Said bonds may be issued at such time or times, and in such amount or amounts as the progress of the work and the convenience of the corporation may require. The council shall issue said bonds in conformity to section 2706 of the Revised Statutes of Ohio, and sell said bonds under the provision of the statute in such cases made and provided, and the proceeds thereof to be applied to the payment of the costs and expenses of such work, and to no other purpose whatever.

**SECTION 3.** For the purpose of more fully carrying out the provisions of this act the council of such municipal corporation and the clerk thereof are not required, in the execution of the same, to be governed by section 2702 of the Revised Statutes of Ohio, and that section 2377 of the Revised Statutes of Ohio shall not apply to any sewerage improvement ordained to be made under this act.

**SECTION 4.** If any bonds of such city be issued, as hereinbefore provided, it shall be the duty of the council of such municipal corporation, annually thereafter, until the same and the interest thereon shall be fully paid, to assess and levy a tax on all the taxable property of the corporation sufficient to provide for the payment of the interest accruing upon the bonds so issued, and to create a sinking fund for the payment of the principal of the bonds as they fall due; provided, that when such corporation is divided into sewer districts, the council, instead of assessing and levying such tax upon the entire taxable property of the corporation, may assess and levy the same by districts, fixing such rates for each district as the council may deem proper, or may so levy and assess any part of such tax by districts, and the residue upon the entire taxable property of the corporation; or may levy and assess such tax on any part thereof upon any one or more of such districts, exempting the remaining districts from such taxation. Whenever such tax is assessed and levied by districts, or upon any one or more districts, the money thereby realized from each district shall constitute a separate fund, to be applied only for sewerage in the district from which it was derived, and to no other purpose whatsoever.

**SECTION 5.** The council of such municipal corporation may pay the entire costs and expenses of such improvement or improvements out of the corporation or district fund, as the case may be, raised as hereinbefore provided; but in no case shall the council, either before such improvement or improvements shall have been commenced or after the same are completed, fail to assess and collect the costs and expense thereof, upon the property thereby specially benefited; such assessment to be in any one of the modes, and to the extent authorized by, and to be collected as provided in subdivision 5, chapter IV, division 7, title 12, of said Revised Statutes, except so far as the same is modified by section 4 of this act; and when any such special assessment has been placed upon any property, it shall, when collected, be paid into the district fund, authorized to be created by this act, of the district wherein such property is situated, or if no such fund has been provided for the district, then into the corporation fund authorized by this act to be created; provided, however, that when a fund is constituted for any sewer district, as aforesaid, such improvement or improvements may, if the council deem the same expedient, be made and paid for out of said district fund, without any of the assessments in this section provided for, upon the property in such districts especially benefited by such improvement or improvements.

**SECTION 6.** For the purpose of more fully carrying out the provisions of this act the council of such municipal corporation is not required to be governed in the execution thereof by section 2683 of the Revised Statutes; and section 2270 of the Revised Statutes of Ohio, as amended April 25, 1885 (vol. 82, p. 155), shall not apply to any improvement ordained to be made under this act, where assessments are made for the same, and in all proceedings in making any or all of such improvements, when the same are not provided for by this act, such proceeding shall conform to the other laws of the state of Ohio applicable thereto.

SECTION 7. No bonds shall be issued, or no sewer or part thereof shall be commenced or made until a complete system of sewerage for said entire city, giving location of trunk and intercepting sewers, with plan, specification and profile, has been made and adopted by the city council, and the provisions of section 2837 of the Revised Statutes of Ohio have been fully complied with in all respects.

SECTION 8. After the plan of sewerage for the corporation has been approved and adopted by the council, and filed in the manner provided, the council may direct the engineer of the corporation, or sewerage engineer, as the case may be, to make an estimate of the costs and expense of constructing the work according to such plan, and report to the council what portion of the same will be required for main sewerage, and what portion for local sewerage, for any lots and lands to which any portion of such main sewer may serve as a local sewer.

SECTION 9. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed April 21, 1893.

345G

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[House Bill No. 1896.]

## AN ACT

Supplementary to and amendatory of an act entitled "An act to authorize and direct the commissioners of Butler county to build two bridges across the Great Miami river, and to issue the bonds of said county for the payment of the same," passed March 17th, 1892.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That upon the passage of this act there shall be appointed by the judge of the court of common pleas resident in said county of Butler, three competent free-holders of said county, who shall be known as and who are hereby constituted the "High and Main street bridge commissioners" of Butler county, Ohio, and who shall hold their office for one year, or until the bridge hereinafter provided for is completed, and who shall give bond in the sum of ten thousand (\$10,000.00) dollars for the faithful performance of their duties, with sureties to the approval of said judge.

SECTION 2. That said bridge commissioners be and they are hereby empowered, authorized and directed to build and erect a bridge across the Great Miami river at the point where High and Main streets, in the city of Hamilton, intersect said river, and to construct the necessary approaches thereto.

SECTION 3. That said bridge shall be of the full width of said Main street, measuring from lot-line to lot-line on either side of said street; the roadway in said bridge shall be of the full width of the roadway in said Main street, measuring from curb to curb on either side thereof; and the sidewalks of said bridge shall be of the same width as, and shall be continuations of the sidewalks on said Main street.

SECTION 4. That for the purpose of providing for the cost of said bridge the county commissioners of said county are hereby authorized

and directed to borrow the sum of one hundred thousand (\$100,000.00) dollars, and to issue the bonds of said county of Butler with interest warrants attached thereto therefor; that said bonds shall be payable not sooner than fifteen (15) years, nor later than thirty (30) years after their date, and shall bear interest at a rate not to exceed four and one-half (4½) per cent. per annum, payable semi-annually on the first days of January and July of each year respectively, at the office of the county treasurer on the presentation of the proper interest coupons; that said bonds shall all bear the same date, and shall be sold for not less than their par value with accrued interest, and the proceeds arising from the sale of said bonds shall be applied solely to the purpose of building said bridge.

SECTION 5. That the bonds so issued shall be signed by the county commissioners of said county and countersigned by the auditor, and sealed with the county seal of said county, with six months' interest bearing coupons signed by said auditor; said bonds shall be issued in denominations of not less than five hundred (\$500.00) dollars nor more than five thousand (\$5,000.00) dollars, payable at the office of the county treasurer, and such bonds shall specify distinctly the object for which they were issued.

SECTION 6. That said bridge commissioners be and they are hereby authorized and directed to remove the old bridge now across said river at said High and Main streets, and to dispose of the material therein and to use the proceeds arising from the same in paying the cost of said bridge.

SECTION 7. For the purpose of paying the interest and principal of said bonds, the commissioners of said county are hereby authorized and directed to, and shall annually at their June session, in addition to other taxes levied and collected, levy such amount of taxes as will pay the interest on such indebtedness, and create a "sinking fund" to redeem said bonds when due. If the said county commissioners fail, refuse or neglect to levy said tax and place the same upon the taxable property of said county, then the auditor shall levy said tax and place the same upon the tax-list, and all taxes levied and collected under the provisions of this act shall be applied to the specific object for which they were levied, and no other.

SECTION 8. That all bonds issued by virtue of this act shall be correctly and consecutively numbered in the order in which they were issued, and shall be registered by the county auditor in the "bond register." The county treasurer in his semi-annual settlement with the auditor and commissioners shall deliver to said auditor and commissioners, all interest bearing coupons and bonds by him redeemed which were issued under this act, and receive credit therefor the same as vouchers issued by said auditor, and said auditor shall have said coupons pasted in a book kept for that purpose, and each bond when redeemed must also be pasted in said "bond paster."

SECTION 9. That if said county commissioners shall neglect or refuse to issue and sell said bonds and borrow said money for the purpose of paying the cost of said bridge, for a period of thirty days after the passage of this act, then and in that case, said bridge commissioners be and they are hereby authorized and directed to borrow said sum of one hundred thousand (\$100,000.00) dollars, and to issue and sell the said bonds of said county therefor. Said bonds to be signed by said bridge commissioners and countersigned by said auditor, and sealed with the county

seal of said county, and to be in all other respects as hereinbefore provided.

SECTION 10. That the funds arising from the sale of said bonds shall be paid out by the treasurer of said county upon the warrants of the county auditor in payment of the expenses incurred and contracts made by said bridge commissioners in the construction of said bridge, from time to time as directed by said bridge commissioners.

SECTION 11. That said bridge commissioners be and they are hereby authorized and empowered to employ a competent engineer to make plans for and to supervise the construction of said bridge.

SECTION 12. That the contracts for the substructure and superstructure of said bridge may be separately or jointly let by said bridge commissioners in their discretion, upon sealed bids after thirty (30) days public notice of said letting.

SECTION 13. That said bridge commissioners shall each receive a salary of one thousand (\$1,000.00) dollars per year, to be paid quarterly out of said fund arising from the sale of said bonds, upon the warrants of the county auditor.

SECTION 14. That said act entitled "An act to authorize and direct the commissioners of Butler county to build two bridges across the Great Miami river, and to issue the bonds of said county for the payment of the same," passed March 17, 1892, and all other acts and parts of acts so far as the same conflict with the provisions of this act, be and the same are hereby repealed.

SECTION 15. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 25, 1893.  
381L

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## CARROLL COUNTY.

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[Senate Bill No. 346.]

### AN ACT

To authorize and empower the commissioners of Carroll county to accept a conditional gift or donation of certain real estate to said county, and comply with the conditions thereof.

WHEREAS, David Yant and Martha B. Yant, husband and wife, as the commissioners of Carroll county, have entered into an article of agreement, in which article the said David Yant and his said wife, proffer convey in simple, by deed of general warranty, a certain tract of real estate described in said article, on or before the first of April, 1896 upon the following condition, among others, that said commissioners p.



to said David Yant and Martha B. Yant, and the survivor of them, annually, the sum of \$250 during their lives, or the life of either of them; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Carroll county are hereby authorized and empowered to accept and receive the title in fee simple of the certain real estate described in the article of agreement made and entered by and between David Yant and wife of the first part, and the commissioners of Carroll county of the second part, on the 6th day of April, 1892, recorded in book 1, at page 53, of Carroll county records of article of agreements.

SECTION 2. In order to comply with the conditions of said proposed gift or donation of said land, said commissioners are hereby authorized to pay said David Yant and Martha B. Yant, during their lives or the life of either of them, out of the rents, profits and issues of said land, or the county fund of said county, annually, the sum of two hundred and fifty dollars, in such instalments and at such times, as shall be agreed upon by said Yant and said commissioners.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed January 18, 1893.  
13L

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[Senate Bill No. 338.]

### AN ACT

To authorize and empower the commissioners of Carroll county to appropriate money for the purpose of repairing and improving a certain road therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Carroll county be and they hereby are authorized and empowered to appropriate a sum of money, not exceeding three hundred dollars, out of the county fund of said county, to be used for the purpose of repairing and improving, by macadamizing or otherwise, that part of the state road leading westwardly from the village of Carrolton, from a point where the Oneida road intersects said state road to a point about thirty-five rods west of said point of intersection of said Oneida road.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed January 24, 1893.  
16L

## CHAMPAIGN COUNTY.

[Senate Bill No. 332.]

## AN ACT

To authorize the board of education of Jackson township, Champaign county, to sell school property.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of Jackson township, Champaign county, be and it is hereby authorized to sell on such terms and in such manner, either by public or private sale, the school-house and lot of sub-district No. 3, of said Jackson township, as the said board of education may determine. And publication of any proposed sale as required by law may be omitted, and the proceeds arising from any such sale shall be applied by the said board of education according to law in the purchase of another lot and erecting a school building thereon for the school purposes of said subdistrict No. 3.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*

ANDREW L. HARRIS,  
*President of the Senate.*

Passed January 18, 1893.

11L

[Senate Bill No. 479.]

## AN ACT

To transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of the city of Urbana, Champaign county, Ohio, be and are hereby authorized to transfer the sum of three thousand (\$3,000.00) dollars from the corporation fund of said city to the sinking fund of said city, and two thousand (\$2,000.00) dollars from the street improvement fund of said city to the sinking fund of said city.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,  
*Speaker pro tem. of the House of Representatives.*

ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed March 17, 1893.

139L

[House Bill No. 1802.]

## AN ACT

To authorize the school board of North Lewisburg village school district, of Champaign county, to make an additional levy for school purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the school board of North Lewisburg village school district, of Champaign county, is hereby authorized to borrow, for the purposes of said school district, an amount not exceeding two thousand (\$2,000) dollars, and to issue the bonds of said school district in such amounts and on such terms as the said school board may determine; and, in addition to the levy already authorized by law, they shall make sufficient levy on the taxable property in said school district to create a fund to meet the payment of said bonds as the same become due.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 18, 1893.  
816L

[House Bill No. 1806.]

## AN ACT

To authorize the trustees of Mad River township, Champaign county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Mad River township, Champaign county, are hereby authorized to transfer a sum not exceeding four hundred (\$400.00) dollars from the general fund to the road fund, for the purpose of improving the highways of said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 22, 1893.  
337L

[House Bill No. 1850.]

## AN ACT

To authorize the board of education of Salem township, Champaign county, to transfer school property to township trustees.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of Salem township, Champaign county, is hereby authorized to transfer school property in subdistrict

number (5), to the township trustees of Salem township, Champaign county.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 25, 1893.  
370L

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[ House Bill No. 1849.]

### AN ACT

To authorize the board of directors of Woodstock special school district, Champaign county, to issue bonds for the purpose of building a school-house.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of directors of Woodstock special school district, Champaign county, be and are hereby authorized to issue the bonds of said school district in any sum not exceeding five thousand dollars for the purpose of rebuilding the school building of said district. Said board of directors may issue such bonds on such conditions and for such length of time as by resolution they may determine. They are hereby authorized to make such additional levy upon the taxable property of said district as will be necessary to meet the payment of said bonds as the same become due and the interest thereon.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 25, 1893.  
387L

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### CLARK COUNTY.

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[ For acts relating to Clifton see Greene county.]

[ House Bill No. 1289.]

### AN ACT

To authorize the commissioners of Clark county, Ohio, to issue bonds and to provide for their payment, for the purpose of meeting and providing for a deficiency in the county fund of said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Clark county, Ohio, for the purpose of meeting and providing for a deficiency in the county fund of said county, are hereby authorized to issue bonds in an amount not to

exceed thirty-five thousand dollars (\$35,000.00); said bonds shall be of such denomination as said commissioners may deem best, bearing interest at the rate of six per centum per annum, payable semi-annually, and shall be coupon or registered bonds at the discretion of said commissioners and payable at the office of the county treasurer of said county or in New York city, and shall be due and payable at such times and in such amounts as said commissioners may determine, not exceeding fifteen years from the date of the same, and shall be signed by the county commissioners and countersigned by the county auditor.

SECTION 2. Said bonds and the interest thereon shall be paid as they become due out of the levy for general expense purposes now authorized by law.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed February 28, 1898.

84L

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[ House Bill No. 1667.]

## AN ACT

To amend section 2 of an act entitled "An act to authorize the commissioners of Clark county, Ohio, to issue bonds and to provide for their payment, for the purpose of meeting and providing for a deficiency in the county fund of said county," passed February 28, 1893.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 2 of an act entitled "An act to authorize the commissioners of Clark county, Ohio, to issue bonds and to provide for their payment, for the purpose of meeting and providing for a deficiency in the county fund of said county," passed February 28, 1893, be amended so as to read as follows:

Sec. 2. Said bonds and the interest thereon shall be paid as they become due out of the levy for interest and principal of the public debt now authorized by law.

SECTION 2. Said original section 2 is hereby repealed and this act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 5, 1898.

239L

[House Bill No. 1855.]

## AN ACT

To authorize cities of the second class, third grade *a*, to issue bonds for the purpose of devising a plan or system of sewerage for the corporation; procuring rights of way for an intercepting sewer for carrying off sewage from the corporation and making certain other expenditures therein specified.

[SPRINGFIELD.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any city of the second class, third grade *a*, be and it is hereby authorized and empowered, upon application of the board of public affairs of said city, to issue, from time to time, bonds of said city, not exceeding in the aggregate ten thousand dollars, for the purpose of procuring, purchasing or appropriating rights of way for an intercepting sewer or sewers for carrying off sewage from the corporation; providing an outlet for such intercepting sewer or sewers; defraying the expense of making and providing maps, plats, profiles, specifications and surveys for such intercepting sewer or sewers; defraying the expense of devising a general plan or system of sewerage for such city; employing such engineers, persons and other means as said board of public affairs may deem necessary for the accomplishment of said work and for defraying any other expense which in the opinion of said board of public affairs is necessary for the fulfillment of said purpose.

SECTION 2. Such bonds shall be coupon bonds and shall be in such denomination and run for such length of time, not exceeding ten years from the date of their issue, and shall bear such rate of interest, not exceeding five per cent. per annum, payable semi-annually, as such council may by ordinance determine. Said bonds shall be designated: "sewer improvement bonds" and shall be issued, advertised and sold according to law, and the proceeds of the sales thereof shall constitute a fund to be known as the "sewer improvement fund," and shall be applied exclusively to the purposes for which such bonds are issued.

SECTION 3. For the purpose of paying the principal and interest of any bonds which may be issued under authority of this act, as they mature, respectively, the council of any such city is hereby authorized and required to levy and collect, from time to time, a tax sufficient in amount, in the manner of levying and collecting other taxes in the corporation, upon all taxable property of such city.

SECTION 4. The provisions of section 2702, Revised Statutes of Ohio, shall not apply to any expenditure authorized to be paid from the fund arising from the sale of bonds provided for by this act.

SECTION 5. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,

*Speaker pro tem. of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 25, 1893.

394G

## CLERMONT COUNTY.

[House Bill No. 1015.]

## AN ACT

To authorize the commissioners of Clermont county, Ohio, to construct a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Clermont county be and they are hereby authorized to build and construct a free turnpike road in said county, beginning at Edenton at a point where the Edenton and Lerado dirt road intersects the Woodville turnpike, thence running in a southerly direction along and on the line of said Edenton and Lerado dirt road, a distance of about five miles, and terminating at Lerado at a point where said road intersects the Newtonville and Brownville turnpike.

SECTION 2. That said commissioners shall, before proceeding to construct said road, or any part thereof, require and secure from those interested in said pike a subscription or donation, equal in amount to twenty per centum of the cost of said improvement, to aid in the construction of the same.

SECTION 3. That for the purpose of paying the remaining eighty per cent. of the said improvement, the county commissioners are hereby authorized to levy and assess a tax not exceeding three-tenths of one mill on the dollar, on any and all property upon the tax duplicate in said county.

SECTION 4. That a majority of said board of commissioners shall, at a regular session, be necessary to agree upon specifications, and order said improvement, or any part thereof, to be made.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed January 30, 1893.

31L

[House Bill No. 1228.]

## AN ACT

To authorize the commissioners of Clermont county, Ohio, to construct a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Clermont county be and they are hereby authorized to construct a free turnpike road from and commencing at the Milford, Hillsboro and Chillicothe turnpike, in Perintown, thence along the county road across the east fork and down the same to the Hamilton county line, excepting the part thereof included in the Milford and Mt. Carmel pike, heretofore authorized to be built; and in locating

the same the commissioners may occupy any township or county road on the line, and may widen or alter the same as in their judgment they may deem best, and also settle all questions of damages therefor directly with the property owners, and said road may be any width between 30 and 60 feet.

SECTION 2. Said commissioners may, if they deem best, issue bonds for the construction of said road, to bear interest at not more than 6 per cent. per annum, payable semi-annually, and shall not be sold at less than their par value; and to meet the principal and interest of said bonds if they elect to issue the same, or to raise the money to pay for the building of said pike if they do not issue the same, the county commissioners are hereby authorized to levy a tax not exceeding one-half of a mill on the dollar, annually, on all the property in said county in addition to other taxes.

SECTION 3. That said commissioners shall, before proceeding to construct said road or any part of same, require and secure from those interested in said pike a subscription or donation equal in amount to 20 per cent. of the cost of said improvement to aid in the construction of the same.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed March 1, 1893.

87L

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[House Bill No. 1661.]

## AN ACT

To authorize the commissioners of Clermont county to construct a free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Clermont county, be, and they are hereby authorized to build and construct a free turnpike road in said county, beginning at the Ohio pike at a point near Bethel in said county, and thence along and upon the New Richmond road to Nicholasville and terminating at the latter place.

SECTION 2. That said commissioners shall, before proceeding to construct said road or any part of same, require and secure from those interested in said pike, a subscription or donation, equal in amount to 20 per centum of the cost of said improvement, to aid in the construction of the same.

SECTION 3. That for the purpose of paying for said improvement, the county commissioners are hereby authorized to levy and assess a tax not exceeding three-tenths of one mill on the dollar, on any and all property upon the tax duplicate in said county.

SECTION 4. That a majority of said board of commissioners shall at a regular session be necessary to agree upon specifications and order said improvement or any part thereof to be made.



SECTION 5. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,  
*Speaker pro tem. of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed March 30, 1893.  
231L

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[House Bill No. 1698.]

### AN ACT

To authorize the commissioners of Clermont county to repair and reconstruct a certain par. of a free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Clermont county, Ohio, be and they are hereby authorized to repair and reconstruct the following part of a certain free turnpike road, to wit: That part of the Batavia and New Boston turnpike road, commencing at a point near Glancy's school-house on said road, thence in a southerly direction to a point near the foot of what is known as Moore's hill on said road.

SECTION 2. Said commissioners may, in their discretion, order at once the repair and rebuilding of said part of said road, and may issue bonds for said purpose bearing six per cent. interest, which shall not be sold for less than their par value, and may levy a tax not exceeding five-tenths of a mill on the dollar, annually, on all the taxable property of said county, for the purpose of paying said bonds and the interest thereon.

SECTION 3. A majority of said commissioners may, at any regular session, agree upon plans and specifications, and order said repairs and reconstructions, or any part thereof.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 6, 1893.  
253L

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[House Bill No. 1705.]

### AN ACT

To authorize the commissioners of Clermont county to repair and reconstruct a certain part of a free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Clermont county, Ohio, be and they are hereby authorized to repair and reconstruct the following part of a certain free turnpike road, to wit: That part of the Newtonville and Pleasant Plain free turnpike road, commencing at the Warren county line, thence in a southerly direction with said road a distance of about two miles.

SECTION 2. Said commissioners may, in their discretion, order at once the repair and rebuilding of said part of said road, and may issue bonds for said purpose bearing six per cent. interest, which shall not be sold for less than their par value, and may levy a tax not exceeding five-tenths of a mill on the dollar, annually, on all the taxable property of said county, for the purpose of paying said bonds and the interest thereon.

SECTION 3. A majority of said commissioners may, at any regular session, agree upon plans and specifications and order said repairs and reconstructions, or any part thereof.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 6, 1893.  
254L

[House Bill No. 1697.]

### AN ACT

To authorize the council of the incorporated village of Milford, in the counties of Clermont and Hamilton, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Milford, in Clermont and Hamilton counties, Ohio, be and the same is hereby authorized and empowered to transfer four hundred (\$400) dollars from the village police fund to the street fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 6, 1893.  
264L

[House Bill No. 1415.]

### AN ACT

To authorize the commissioners of Clermont county to lay out, build and construct a free turnpike.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Clermont county be and they are hereby authorized to lay out, build and construct a free turnpike road from Cedron to Rural school-house, intersecting the Rural and Felicity pike, beginning at either of two points: First. At the bridge on the Cedron and Felicity pike near the residence of A. Wise; thence south through the lands of Ella Nichols, L. and J. Smart and Susan Bavis to the old county road; thence following the county road as near as practicable to the

Rural and Felicity pike as above described; or beginning at the south end of Cedron bridge, thence following county road to the residence of L. F. Metzger, crossing Bullsken creek; thence through the lands of L. and J. Smart and Susan Bavis to the county road as above stated and described, granting to the commissioners the right to select the more practicable of the described routes.

SECTION 2. That said commissioners shall, before proceeding to construct said road or any part of same, require and secure from those interested in said pike, a subscription or donation equal in amount to 20 per cent. of the costs of said improvement, to aid in the construction of the same.

SECTION 3. That for the purpose of paying for said improvement, the county commissioners are hereby authorized to levy and assess a tax not exceeding three tenths ( $\frac{3}{10}$ ) of one mill on the dollar, on any and all property upon the tax duplicate in said county.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 11, 1893.  
267L

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[House Bill No. 1707.]

## AN ACT

To authorize the commissioners of Clermont county to purchase a turnpike.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Clermont county, Ohio, are hereby authorized and empowered to purchase from the owners of the same, the turnpike road running from the village of Batavia to the village of Williamsburg, in said county, at such price and upon such terms as may be agreed upon by and between the commissioners and the owners of said road; and said road when so purchased shall be thenceforth a free turnpike road, and shall be improved and kept in repair in the same manner as is provided by law as to other free turnpike roads in said county. When purchased, and before any payment is made therefor, the owner or owners to execute to the county a good and sufficient deed of conveyance, and to the satisfaction of said board of county commissioners.

SECTION 2. That in case said board of county commissioners and the owner or owners of said turnpike road, can not agree upon a purchase price, said board and owners may cause an appraisement thereof to be made by three disinterested freeholders of said county, one to be selected by said board, one by said owners and the third appraiser to be chosen by the two appraisers selected as aforesaid.

SECTION 3. That the appraisers selected and chosen under the provisions of this act shall, under oath, upon actual view, appraise said turnpike road running from Batavia to Williamsburg located in said county, at its true value and make such return in writing of their appraisement, within ten days after making the same, to said board. The said board

and owners of said turnpike road, within thirty days after the return of said appraisement, may agree upon a sale and purchase of said turnpike road at the appraised value or less. If the said board refuse to complete the purchase at the appraised value, in that case the said county shall pay the costs of appraisement. If the owners refuse to sell at the appraised value, the said owners of said turnpike shall pay the costs of appraisement. The appraisers shall each be entitled to receive two dollars per day for their services rendered under this act.

SECTION 4. That for the purpose of paying the purchase money for said turnpike road, said board of county commissioners are hereby authorized to issue the bonds of said county, payable at such times not exceeding twenty years from the date of the same, as said board may deem proper, bearing a rate of interest not exceeding six per cent. per annum, payable annually. Said county bonds shall not be sold or otherwise disposed of at less than their par value. The bonds to be issued in denominations not to exceed five hundred dollars, nor less than fifty dollars.

SECTION 5. That for the payment of the interest on, and for the redemption of said bonds, the said board of county commissioners of said county are hereby authorized to levy a tax upon all the taxable property of said county, not exceeding one mill on the dollar annually, in addition to other levies for road purposes authorized by law, as may be found necessary to pay the interest on said bonds and provide a sum sufficient to redeem and pay said bonds as they may become due and payable.

SECTION 6. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,

*Speaker pro tem. of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 14, 1893.

303L

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[House Bill No. 1523.]

### AN ACT

To authorize the trustees of Miami township, Clermont county, Ohio, to issue a bond to J. M. C. Ramsey, to pay bounty.

WHEREAS, It is shown that J. M. C. Ramsey, of Miami township, in Clermont county, Ohio, on the twentieth day of December, A. D. 1864, procured at a cost of seven hundred and fifty dollars, and placed in the army of the United States, a substitute who was credited to said Miami township on its quota of troops to be furnished; and

WHEREAS, The trustees of said township, by authority of law then in force, provided for and issued township bonds for one hundred dollars each to persons who had furnished substitutes credited to said township and said J. M. C. Ramsey, though entitled thereto, did not receive bond or any compensation on account of his having put in such substitute; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of said township be and they are hereby autho

ized to issue to said J. M. C. Ramsey a township bond for one hundred dollars, with six per cent. interest thereon until the same shall be paid; and the trustees of said township are hereby authorized to provide for the payment of said bond by levying a tax on all the taxable property of said township in addition to taxes now authorized by law.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*

ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 19, 1893.

321L

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[House Bill No. 1587.]

### AN ACT

To authorize the commissioners of Clermont county to build a free turnpike and improve a public wharf and steamboat landing.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Clermont county be and they are hereby authorized to build a free turnpike and improve the public wharf and steamboat landing near Clermontville, Clermont county, Ohio. Said free turnpike road beginning at a point where the Clermontville and Ohio river county road intersects the Boat run and Neville turnpike on the south side of said pike at Fridman's coal yard, and thence on said county road down to low water mark of the Ohio river. In locating said road the commissioners may locate it upon the said county road and wharf at said landing or any part of it, as heretofore laid out and established, and to widen, alter, change, or vacate the same or any part thereof, to be determined by the county commissioners.

SECTION 2. That said commissioners shall, before proceeding to construct said road and landing or any part thereof, require and secure from those interested in said road and landing improvement a subscription or donation equal in amount to twenty (20) per cent. of the cost of said improvement, to aid in the construction of the same.

SECTION 3. That for the purpose of paying the 80 per cent. of said improvement, the county commissioners are hereby authorized to levy and assess a tax not exceeding two-tenths ( $\frac{2}{10}$ ) of one mill on the dollar on all property on the tax duplicate of said county.

SECTION 4. That a majority of said board of county commissioners shall, at a regular session, be necessary to agree upon plans and specifications and order said improvement or any part thereof.

SECTION 5. This act shall take effect on its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*

ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 20, 1893.

327L

[House Bill No. 1809.]

## AN ACT

To authorize the commissioners of Clermont county to construct a certain turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Clermont county be and they are hereby authorized to construct a free turnpike along the existing roads as follows: Beginning at the Batavia and Union Bridge turnpike road at the intersection therewith of the county road leading to Amelia at Olive Branch, thence over said Amelia road to where it is intersected by another road leading to the Dial school-house; thence over said road to the Batavia and Clough free turnpike road. Said road is to be not less than 40 feet wide and the commissioners may widen and straighten the same if in their judgment it be necessary and settle directly with land owners for any damages or compensation incurred.

SECTION 2. Said commissioners, before constructing said road or any part thereof, shall require a subscription or donation, from those interested, of not less than 20 per centum of the cost thereof, to be used in the construction of said road.

SECTION 3. To pay for building the said road the said commissioners are hereby authorized to levy a tax on all the taxable property of the county in any one or more years as they may deem best and they may anticipate said tax by an issue of bonds to bear not more than six per cent. interest per annum and use the tax to redeem the same.

SECTION 4. A majority of said board at any regular meeting thereof may agree upon specifications and order said improvement.

SECTION 5. This act shall take effect on and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 22, 1893.

338L

[House Bill No. 1852.]

## AN ACT

To authorize the board of education of Miami ville special school district in Clermont county, Ohio, to issue bonds, and levy a tax for the purpose therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Miami ville special school district in Clermont county, Ohio, be and it is hereby authorized to issue bonds of said school district in an amount not exceeding two thousand five hundred dollars, in such denominations as said board may by resolution determine, to run from five to not exceeding twenty years, payable in such instalments, annually as they may deem best, bearing interest not exceeding six per cent., payable semi-annually, which bonds shall not be sold for less than par, said bonds to be signed by the president of said board of education and attested by the clerk thereof. Said board

of education shall levy annually upon all the taxable property in said school district a tax sufficient to pay the accruing interest and provide a sinking fund for the redemption of said bonds as they become due. The money to be raised by the sale of said bonds to be applied to the improvement of the present school building or purchasing new site or erecting new building as the board may deem best, provided that no bonds shall be issued by said board until after the question of improvement in the school buildings shall be submitted to the electors of said district at a general or special election therein to be held for that purpose of which not less than ten days' notice shall be given by notices posted in not less than five public places therein and further provided that a majority of said electors voting at said election shall vote in favor of said improvements. Said election shall be conducted in the manner and at the place of holding elections for members of said board of education.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 25, 1893.  
372L

[ Senate Bill No. 587.]

### AN ACT

Authorizing the commissioners of Clermont county to remodel, repair and build an addition to the court-house in said county, and to issue bonds for the payment of the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Clermont county be and they are hereby authorized to expend in building an addition to, remodeling, and repairing the court-house of said county, and also to pay for the heating apparatus, fire-proof vaults, and furniture for said court-house a sum not to exceed twenty thousand dollars.

SECTION 2. That the commissioners of said county, for the purpose of enabling them to carry out the provisions of this act, are authorized to borrow money necessary therefor, not exceeding twenty thousand dollars; for which they may issue the bonds of the county, bearing interest at the rate of not more than six per cent. per annum, payable semi-annually, principal and interest, payable at the county treasurer's office, not more than five years from the date of said indebtedness, and not to be sold at less than their par value.

SECTION 3. That the bonds so issued shall be signed by the commissioners, or any two of them, and countersigned by the auditor, with or without coupons attached, in sums of not less than one hundred nor more than one thousand dollars each, payable to bearer, and specifying distinctly the purpose for which they were issued.

SECTION 4. The board of commissioners shall, annually, at their next session each year, until the said bonds are all paid, cause to be levied upon the tax duplicate of the county such amount of taxes as shall

be necessary to pay the accruing interest upon said bonds and such part of the principal as falls due each year, not exceeding in any one year one mill on the dollar of valuation of taxable property in said county.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*

ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 25, 1893.  
385L

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[House Bill No. 1732.]

### AN ACT

To authorize the board of education of certain special school districts to grant the use of school property for certain purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of any special school district composed of parts of two or more townships situated in any county in the state which by the last federal census had, and which may hereafter have as ascertained by any federal census a population of not less than 33,553 nor more than 33,560 may, and upon the application of not less than one-half the electors, shall grant to any industrial organization, literary society or other lawful assemblage of persons the use of any building or room in such special district under the management and control of such board of education.

SECTION 2. This act shall take effect on its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*

ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 18, 1893.  
290G

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### CLINTON COUNTY.

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[House Bill No. 1100.]

### AN ACT

To authorize villages having a population at the last federal census of not less than three thousand (3,000) nor more than thirty-one hundred (3,100) or which may have such population at any subsequent federal census, to issue and sell bonds but not exceeding ten thousand dollars (\$10,000.00) in amount for the purpose of paying debts contracted and an overdraft in the light fund, occasioned by the construction of an electric light plant by such village.

[WILMINGTON.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That villages of the state of Ohio having a population at 1 :



last federal census of not less than three thousand (3,000) nor more than thirty-one hundred (3,100) or which may have such population at any subsequent federal census, be and they are hereby authorized and empowered to issue and sell their bonds in any sum not exceeding ten thousand dollars (\$10,000.00) for the purpose of paying debts contracted and an overdraft in the light fund occasioned by the construction of an electric light plant by such village.

SECTION 2. Said bonds shall not draw a rate of interest greater than six per cent. per annum, payable semi-annually, and shall not run for a time greater than twenty (20) years from the date of their issue and shall together with interest be made payable at such places as the council may direct.

SECTION 3. Said bonds shall be issued and sold as required by the laws of the state of Ohio.

SECTION 4. This act shall be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed January 26, 1893.

16G

[House Bill No. 1490.]

### AN ACT

To authorize the council of the village of New Vienna, Clinton county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village council of New Vienna, Clinton county, Ohio, be and are hereby authorized to transfer the sum of three hundred dollars (\$300) from the fire fund to the street fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed March 14, 1893.

128L

[House Bill No. 1474.]

### AN ACT

To authorize the village council of any village which had at the last federal census or which at any subsequent federal census may have a population of not less than 870, nor greater than 880, to issue bonds for the purpose of purchasing suitable grounds and erecting thereon town hall and furnishing the same.

[NEW VIENNA.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village council of any incorporated village which at

the last federal census had or which at any subsequent federal census may have a population not less than 870 nor greater than 880 be and the same is hereby authorized and empowered to issue bonds of said village in any sum not to exceed the sum of ten thousand dollars; the proceeds of said bonds shall be used for the purpose of purchasing suitable grounds, and erecting thereon a town hall and furnishing the same.

SECTION 2. Said bonds shall be signed by the mayor, and countersigned by the clerk of said village, and may be issued in such denominations and sold in such manner, at not less than their par value, as said council by ordinance may determine, to bear interest not exceeding six (6) per cent. per annum, payable semi-annually, and redeemable within ten (10) years from the date of issue. Before any bonds are issued, or taxes levied, the question of issuing the bonds shall be submitted to the voters of the municipal corporation at a general or special election, as the council shall determine, and ten days' notice shall be given in the newspaper printed therein, stating the amount of bonds to be issued, the purpose for which they are to be issued, and the time and place of holding the election; and if a majority of the voters, voting at such election, upon the question of issuing bonds, vote in favor thereof, then and not otherwise the bonds shall be issued. Those voting in the affirmative shall have written or printed on their ballots, "For issue of town hall bonds—Yes." Those voting in the negative shall have written or printed on their ballots, "For issue of town hall bonds—No."

SECTION 3. Said council is hereby authorized to levy a sufficient tax, on the taxable property in said village, to meet any indebtedness incurred under this act.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 22, 1893.

162G

[House Bill No. 1810.]

## AN ACT

To authorize the trustees of Union township, of Clinton county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Union township, Clinton county, Ohio, be and the same are hereby authorized to transfer the following named funds: From the poor, twelve hundred (\$1,200) dollars; township, eighteen hundred (\$1,800) dollars; road, one thousand (\$1,000) dollars; total amount, four thousand (\$4,000), to the pike or improved road fund.

SECTION 2. This act shall be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 22, 1893.

339L

[House Bill No. 1841.]

## AN ACT

To authorize the council of the incorporated village of Sabina, Clinton county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Sabina, Clinton county, Ohio, be, and the same is hereby authorized and empowered to transfer two hundred dollars from the police fund, two hundred dollars from the gas fund, two hundred dollars from the fire fund, to the sewer fund.

SECTION 2. This act to be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 24, 1893.

356L

[House Bill No. 1875.]

## AN ACT

To authorize the council of the incorporated village of Midland City, Clinton county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Midland City, Clinton county, Ohio, be and the same is hereby authorized to transfer one hundred dollars (\$100.00) from the general fund to the street fund.

SECTION 2. This act shall be in force from and after its passage.

ELVERTON J. CLAPP,

*Speaker pro tem. of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 27, 1893.

394L

## COLUMBIANA COUNTY.

[House Bill No. 1032.]

## AN ACT

Supplementary to an act to authorize the village of East Liverpool, Columbiana county, Ohio, to issue bonds for the construction of water-works, passed February 5, 1879, and the acts supplementary thereto, passed April 9, 1880, January 26, 1888, and March 13, 1890.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the city of East Liverpool, Columbiana county,

Ohio, be and they are hereby authorized to issue the (additional) bonds of said city, not exceeding (\$30,000) thirty thousand dollars for the sole purpose of completing the improving, enlarging and extension of the water-works, as authorized by the act passed March 13, 1890, and for the purpose of purchasing ground for an additional new reservoir in said city.

SECTION 2. Said bonds shall be made payable at such time or times not exceeding thirty (30) years from the respective dates thereof, and at such place or places, as said council may determine; they shall bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, and they shall be in denominations of not less than five hundred dollars (\$500.00) nor not more than one thousand dollars (\$1,000.00), as said council shall determine; they shall be issued at such time or times and in such amount as said council may determine, and sold according to law for not less than their par value.

SECTION 3. That for the purpose of paying said bonds and the interest thereon, as the same become due, the said city council is hereby authorized to levy a tax on all taxable property of the city, not to exceed three mills on the dollar in any one year, in addition to the taxes now authorized by law, which levy shall be placed on the tax duplicate by the auditor of said county and collected as other taxes.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed January 17, 1893.

6L

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[House Bill No. 1126.]

### AN ACT

To authorize the board of education of the joint union school district of Washingtonville, Columbiana and Mahoning counties, Ohio, to increase its tax levy.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the Washingtonville joint union school district in Salem township, Columbiana county, and Green township, Mahoning county, Ohio, is hereby authorized to levy a tax not to exceed six mills on each dollar valuation of the taxable property of said school district, in addition to taxes now authorized by law, for the purpose of supporting and continuing the schools in said joint union school district, provided that such levy in excess of that allowed by law shall cease and determine on and after five years from the passage of this act.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 1, 1893.

85L

[House Bill No. 1413.]

## AN ACT

To authorize the incorporated village of New Lisbon, Columbiana county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of New Lisbon, in Columbiana county, Ohio, be and it is hereby authorized to transfer the surplus fund now in the street improvement fund amounting to about \$16,040, and as such fund shall be further paid in, into the sewer fund to amount of \$2,000 and into the water-works fund to amount of \$5,000, and the balance of said fund not exceeding \$8,500, into the sinking fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,

*Speaker pro tem. of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed March 9, 1893.

112L

[Senate Bill No. 600.]

## AN ACT

To authorize the council of the incorporated village of Salineville, Columbiana county, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Salineville, Ohio, be and is hereby authorized to transfer seven hundred dollars from the police fund to the general fund, and five hundred dollars from the light fund to the general fund.

SECTION 2. This act to take effect on its passage.

ELVERTON J. CLAPP,

*Speaker pro tem. of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 27, 1893.

390L

[House Bill No. 1811.]

## AN ACT

To amend section 1 of an act passed April 14, 1892, entitled "An act to authorize the commissioners of any county which at the federal census of 1890 had, or which at any subsequent federal census may have, a population of not less than 59,000 nor more than 60,000 to levy an additional tax for county purposes."

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 1 of an act entitled "An act to authorize the commissioners of any county, which at the federal census of 1890 had, or which

at any subsequent federal census may have a population of not less than 59,000 nor more than 60,000 to levy an additional tax for county purposes," passed April 14, 1892 (O. L. vol. 89, p. 288), be amended so as to read as follows:

Sec. 1. That the commissioners of any county which at the federal census of 1890 had, or which at any subsequent federal census may have a population of not less than 59,000 nor more than 60,000 be and they are hereby authorized to levy, not to exceed seven-tenths of one mill on each dollar of the taxable property of the county, for county purposes, in addition to the levy now authorized by law, the same to be entered on the duplicate of said county, and collected as other taxes.

SECTION 2. That section 1 of the above mentioned act is hereby repealed, and this act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem: of the Senate.*

Passed April 24, 1893.

375G

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## COSHOCTON COUNTY.

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[House Bill No. 1010.]

### AN ACT

To amend an act passed March 8, 1892, entitled "An act to create a special school district from parts of Jefferson and Bethlehem townships, county of Coshocton, state of Ohio."

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 1 of an act passed March 8, 1892, entitled "An act to create a special school district from parts of Jefferson and Bethlehem townships, county of Coshocton, state of Ohio," be and the same is hereby amended so as to read as follows:

Sec. 1. That the following described territory in the townships of Jefferson and Bethlehem, county of Coshocton, state of Ohio, be and is hereby made and constituted a special school district to be known and designated as the Warsaw special school district, to wit: Beginning at the northeast corner of Tabitha Darr's land on the line between Jefferson and Bethlehem townships, thence west to road leading from Warsaw to Fredrick's bridge, thence north along said road to the northeast corner of the part of M. D. Stover's land which corners on said road, thence west along the north boundary line of said land which corners on said road to its intersection with the east boundary line of said M. D. Stover's land, thence north to the northeast corner of said M. D. Stover's land, thence west along the north line of said M. D. Stover's land and land of Abraham Funk to the northwest corner of Abraham Funk's farm, thence south to the southwest corner of said Abraham Funk's farm, thence west

ward along the north boundary line of section 12 in the northeast quarter of said Jefferson township to the northeast corner of the land of S. C. Kissner, thence south along the east boundary line of said land of said S. C. Kissner and of Mary A. Randles to the southeast corner of the said land of the said Mary A. Randles, which said corner is on the south line of said section 12, and thence west along the south line of sections 12 and 13 in said quarter of said township to a point north of the center of the opening of a bridge on the road leading from Warsaw to Walhonding, which said bridge is near the residence of James Wilson, thence south to the middle of the Walhonding river, thence down said river to the northwest corner of the land belonging to W. J. Walker, thence south along the western boundary line of the land of the said W. J. Walker to the southwest corner of said land, thence east along the south line of said land to the land of Andrew Foster, thence south along the west line of said land of said Andrew Foster to the Flint run road, thence in an easterly direction along said road to the road leading from Warsaw to West Bedford, thence in a southerly direction along the said road to the southwest corner of the land belonging to Cyrus Elder, sr., and thence east along the south boundary line of said land of said Cyrus Elder, sr., to the northeast corner of Wm. Elder's land, thence south along the line between the lands of Cyrus Elder, sr., and Wm. Elder to the north line of the land belonging to James Lowary, sr., thence east along the south boundary line of the lands of Cyrus Elder, sr., to the land belonging to Cyrus Elder, jr., thence north along the east boundary line of the land belonging to Cyrus Elder, sr., to the road which crosses Simmons' run near that point, thence in an easterly direction along said road to the west boundary line of the land of Clara McCurdy, thence north along the west line of said land to the northwest corner of the land belonging to the said Clara McCurdy, thence east along the north boundary line of said land to the township line between Bethlehem and Jefferson townships, thence north along the township line to the north bank of the Walhonding river, thence in an easterly direction along said north bank of said river to the old ford near the big island, thence north along the old road leading from said ford to the road leading from Coshocton to Warsaw, thence east along the said Coshocton and Warsaw road to the southwest corner of the land belonging to J. C. Bower, thence north along the west boundary line of said land to the northeast corner of the land belonging to Emma Darling, thence west along the north line of said land of said Emma Darling to the land belonging to James L. Banthum, thence north along the east boundary line of said land of said James L. Banthum to the northeast corner of said land, thence west along the north boundary line of said James L. Banthum to the township line, thence north to the place of beginning.

SECTION 2. That said section one of said original act passed March 8, 1892, be and the same is hereby repealed, and this act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
 ANDREW L. HARRIS,  
*President of the Senate.*

Passed January 17, 1893.

[Senate Bill No. 358.]

## AN ACT

To transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Coshocton, Coshocton county, Ohio, be and are hereby authorized to transfer the sum of five hundred dollars from the police fund to the cemetery fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed January 24, 1893.

17L

[Senate Bill No. 410.]

## AN ACT

To establish a special school district in Franklin township, Coshocton county, Ohio

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That a special school district in the township of Franklin, county of Coshocton, and state of Ohio, to be known as the Conesville special school district, be and the same is hereby established in and of the following described territory, to wit: Commencing at a point on the west boundary line of said Franklin township, said point being the northwest corner of a tract of land formerly owned by Charles Miller, deceased, and now owned by Stephen F. Dawson; thence south along said township line to the southwest corner of said township; thence east along Wills creek and the south line of said township to the southeast corner of lands now owned by A. E. Robinson and formerly owned by A. H. Frew; thence north along the east line of said lands of A. E. Robinson to the northeast corner of said lands; thence in a northerly direction across the lands now owned by Michael Lapp, Mary Adams, Thomas J. Robinson, David T. Ridgway and L. Viola Robinson to the southwest corner of lands now owned by James Tumblin and formerly owned by J. & W. Reynolds; thence in a northerly direction along the west line of said Tumblin lands to the northwest corner thereof; thence in a northwesterly direction across the lands of Harrison Hart to a point on the east bank of the Muskingum river, which point is due east from the northeast corner of said lands now owned by James Davis and formerly owned by said Charles Miller, deceased; thence west across said river to the said northeast corner of said Davis' land; thence in a northwesterly and westerly direction along the north line of said Davis' land, and the north line of said lands of said Stephen F. Dawson above described to the place of beginning.

SECTION 2. Said special school district shall be entitled to receive its proportionate share of the school funds and the funds levied for incidental expenses, in accordance with the enumeration of the year 1892, of school children entitled to attend school; said funds being those



now collected within the township or county treasuries; and said district shall be governed by such laws as now are or may hereafter be in force relating to special school districts.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed February 16, 1893.  
65L

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[Senate Bill No. 415.]

### AN ACT

To authorize the trustees of Lafayette township, Coshocton county, Ohio, to issue bonds and levy a tax to pay the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Lafayette township, Coshocton county, Ohio, are hereby authorized to issue the bonds of said township in any sum not to exceed twelve hundred (\$1,200) dollars, in denominations of two hundred (\$200) dollars each, payable at such times as said trustees may by resolution determine, with interest from date at a rate not to exceed six (6) per cent. per annum, payable annually, to be sold at not less than their par value, the proceeds to be used to complete the township house in said township, and build the necessary out-buildings and fences therefor.

SECTION 2. That the trustees of said township are further authorized and required to cause to be levied upon all the taxable property in said township, annually, a tax in addition to the other levy of taxes now authorized by law, for the purpose of paying the principal and interest of said bonds as the same shall become due and payable, according to the terms thereof.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed February 17, 1893.  
69L

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[House Bill No. 1282.]

### AN ACT

To amend section 1 of an act entitled "An act to authorize the trustees of Bedford township, Coshocton county, Ohio, to raise funds for the purpose of erecting a township house," passed March 16, 1891.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 1 of an act entitled "An act to authorize the trustees of Bedford township, Coshocton county, Ohio, to raise funds for the

purpose of erecting a township house," be amended so as to read as follows:

Sec. 1. That the trustees of Bedford township, Coshocton county, Ohio, are hereby authorized to levy a tax upon the taxable property of said township to raise a fund not exceeding the sum of six hundred dollars, and to expend the same in the erection of a township house in said township, and the voting place of said Bedford township shall be at Tunnel Hill in said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*

ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 14, 1893.  
181L

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[Senate Bill No. 498.]

### AN ACT

To authorize the county commissioners of Coshocton county, Ohio, to build a bridge across the Walhonding river, in said county, and to levy a tax for that purpose.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Coshocton county, Ohio, be and they are hereby authorized to build a bridge across the Walhonding river, near the "Big Island Ford," in Bethlehem township, in said county, at a cost not exceeding fifteen thousand dollars (\$15,000.00); and for the purpose of constructing said bridge said commissioners are hereby empowered to levy a tax upon all the taxable property of said county in addition to the levy now authorized by law, to an amount sufficient to build said bridge, which taxes shall be levied and collected as other taxes and applied by said commissioners in the construction of said bridge, as they shall determine.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*

ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 28, 1893.  
212L

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[Senate Bill No. 555.]

### AN ACT

To authorize the trustees of Lafayette township, Coshocton county, to transfer funds, and to repeal an act passed February 17, 1893.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Lafayette township, Coshocton county, Ohio, be and they are hereby authorized to transfer not to exceed twelve [hundred] (\$1,200) dollars from township fund to complete township house.

SECTION 2. That an act entitled "To authorize trustees of Lafayette township, Coshocton county, Ohio, to issue bonds and levy a tax to pay same," passed February 17, 1893, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 19, 1893.  
818L

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## CRAWFORD COUNTY.

[House Bill No. 1120.]

### AN ACT

To authorize the issue of bonds by the city of Galion, Ohio, for the improvement of the electric light plant of said city.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city council of the city of Galion, Ohio, be and it hereby is authorized and empowered to issue the bonds of said city in sums of five hundred dollars each, not exceeding the sum of eight thousand dollars in the aggregate, bearing interest at a rate not exceeding six per cent. per annum, payable semi-annually, and made payable at such times as said council may prescribe, not exceeding fifteen years from the date of their issue. Said bonds shall be signed by the mayor and city clerk of said city, bear its seal, and shall be sold according to law at not less than their par value. The proceeds arising from the sale of said bonds shall be applied to the payment of improvements to the electric light plant of said city, erected by and under the authority of an act of the general assembly of the state of Ohio entitled "An act to authorize the city council of the city of Galion, Ohio, to issue bonds for the erection or purchase of an electric light plant," passed March 16, 1887.

SECTION 2. The city council of said city shall, annually, appropriate out of the fund arising from the taxes levied for lighting said city a sum sufficient to pay the interest on said bonds, and shall also provide a fund for the redemption of said bonds at maturity, by a sufficient tax levy, under the authority conferred on it by law.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed February 15, 1893.  
61L

[House Bill No. 1416.]

## AN ACT

To create a special school district in Auburn township, Crawford county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That there be and hereby is created a special school district, to be known as the Tiro special district, in Auburn township, Crawford county, Ohio, which special school district shall embrace the following described territory, to wit: Beginning at the southeast corner of Auburn township, in Crawford county, Ohio, thence running north on corporation line of the village of Tiro to the northeast corner of said corporation; thence west two miles to Cranberry township line; thence south to the Vernon township line; thence east on Vernon township line to place of beginning.

SECTION 2. Said special district shall be subject to and controlled by the laws of the state governing special districts.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 22, 1893.  
179L

[House Bill No. 1718.]

## AN ACT

To amend section 1 of an act entitled "An act to create a special school district in Auburn township, Crawford county, Ohio," passed March 22, A. D. 1893.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 1 of an act entitled "An act to create a special school district in Auburn township, Crawford county, Ohio," be so amended as to read as follows:

Sec. 1. That there be and hereby is created a special school district, in Auburn township, Crawford county, Ohio, which special school district shall embrace the following described territory, to wit: Beginning at the southeast corner of section thirty-two of Auburn township, in Crawford county, Ohio, thence running north on the corporation line of the village of Tiro to the northeast corner of said corporation, thence west two miles to Cranberry township line; thence south to the Vernon township line; thence east on Vernon township line to place of beginning.

SECTION 2. That said section 1 passed March 22, 1893, be and the same is hereby repealed; and this act shall take effect on its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 6, 1893.  
257L

[Senate Bill No. 597.]

## AN ACT

To authorize the commissioners of Crawford county to transfer certain funds. .

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Crawford county, Ohio, be and they are hereby authorized to transfer the sum of five thousand dollars from the infirmity fund of said county to the building fund of said county and one thousand four hundred and sixty-one and  $\frac{10}{100}$  dollars from the two per cent. fund of said county to the building fund of said county.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,

*Speaker pro tem. of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed April 27, 1893.

388L

[House Bill No. 1669.]

## AN ACT

To authorize certain cities to establish a joint free public park.

[BUCYRUS AND GALION.] .

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in any county of this state, at any time containing two cities of the fourth grade of the second class, neither of which by the preceding federal census had a population of more than 7,000 inhabitants, there may be established, by ordinance passed by the council of each of such cities, a joint board of park commissioners, to consist of four suitable freeholders, two of whom shall be appointed by the council of each of such cities, one to serve for one year, one for two years, one for three years and one for four years from and after the first day of May after their appointment, and until their successors are appointed and qualified; and thereafter one to be appointed each year at its second meeting in April, by the council of the city from which the retiring member was appointed, to serve for four years from and after the first day of May next ensuing, or until his successor is appointed and qualified. The council of the larger of such two cities, by the preceding federal census, shall appoint the members serving for one and three years, and the council of the smaller of such two cities the members serving for two and four years. All vacancies shall be filled by the council of the city from which the retiring member was appointed.

SECTION 2. Such commissioners shall constitute a board to be called a "joint board of park commissioners," and they shall serve without compensation. They shall have power to locate, establish, improve and maintain a free public park for such cities, at some suitable point within two miles equi-distant from such cities, and to acquire by deed of gift or purchase, or by appropriation, suitable lands for said purpose; but the selection of all lands for such park shall be subject to the approval of the council of each of said cities.

SECTION 3. Such joint board of park commissioners shall devise all plans for the improvement of such park, and award all contracts therefor; but no contract shall be entered into until the same shall have been authorized by the concurrent resolution of the council of each of such cities.

SECTION 4. The commissioners may appoint a superintendent and all other necessary employes, and fix their compensation, to be subject to the approval of the council of each of such cities, and prescribe their duties, and generally they shall have the same power and perform the same duties, with respect to improving, laying out, embellishing and protecting such park, so far as applicable, as are vested in and required to be performed by the trustees of cemeteries, under title XII, division 8, chapter VII, of the Revised Statutes of Ohio.

SECTION 5. The councils of such cities may, by ordinances concurrently adopted by them, extend the police jurisdiction of each of such cities over such park or grounds in the same manner and to the same extent as if situated within the limits of either corporation; they may prohibit the selling or giving away of any intoxicating liquors in said park, or within one mile thereof, and may provide for the enforcement of such ordinances by the imposition of fines and penalties. The police courts of either of such cities shall have full and complete jurisdiction and authority to enforce all such ordinances, rules and regulations, and to impose the penalties provided for their violation.

SECTION 6. When such joint board of park commissioners can not procure lands desired for park purposes, by deed of gift or purchase, upon terms it regards reasonable, such cities may appropriate lands for that purpose by proceeding in accordance with the provisions of law regulating the appropriation of private property by municipal corporations; and if it is desired at any time to acquire additional grounds for enlarging such park and improving the same, the joint board of park commissioners is hereby empowered to accept a deed of gift or purchase, or such cities may appropriate lands therefor, in the manner hereinbefore provided for the original establishment of such park, and such board may improve the same. Title to all real estate acquired under this act shall vest in each of such cities as tenants in common, but without power of partition.

SECTION 7. To defray the expenses of purchasing, appropriating and improving lands for park purposes, as herein provided, such cities may each issue bonds in the sum of \$10,000.00, payable in one to ten years, with interest not exceeding six per cent. per annum, and sold according to the statutes regulating the sale of municipal bonds, and may levy a tax on all the real and personal property in each of such cities to pay said bonds and the interest thereon.

SECTION 8. Before any lands are purchased or appropriated for such park, or any bonds issued or tax levied therefor, or for improving the same, the question of establishing such park and issuing such bonds and levying taxes therefor, shall be submitted to a vote of the electors of each of said cities, at a special election called for that purpose, on the order of the mayors of the respective cities, giving ten days' notice thereof in not less than two papers of general circulation in each of such cities.

SECTION 9. The mayor and president of the council of each of such cities shall constitute a temporary board, whose duty it shall be to designate, as near as may be, suitable grounds for such park within the

boundaries herein prescribed, and to make an estimate of the cost thereof, and to publish a full and explicit statement setting forth such location, probable cost of the ground, and the number of acres deemed necessary for such purpose, and to publish such statement for at least five days prior to such election, in the manner provided for the giving of notice of such election.

SECTION 10. At said election, the electors who favor the proposition shall have printed or written on their ballots "Park—Yes;" and those opposed to the proposition shall have written or printed on their ballots "Park—No;" and if a majority of all the votes cast at such election in each of such cities shall be in favor of it, lands shall be acquired, bonds issued and taxes levied, as herein provided; but if a majority of all the votes cast upon such proposition, in either city, shall be against it, no further action shall be taken under this act, and each of such cities shall pay one-half of the expenses incurred hereunder, of preliminary surveys, of estimates and of the submission of the question to the electors of cities, as above provided. The provisions of section 2702, Revised Statutes, shall not apply to the expenses of said preliminary surveys, estimates, and of the special election aforesaid.

SECTION 11. To provide a fund for the maintenance and establishment of said park, the council of each of such cities shall, on the recommendation of the joint board of park commissioners, annually levy a tax not to exceed four-tenths of one mill on each dollar of valuation of property; but each of such cities shall annually contribute an equal sum for such purposes.

SECTION 12. Should such joint board of park commissioners at any time consider the further maintenance of a free public park, as herein provided, to be inexpedient, it may sell or lease the same, but any contract or sale, or lease, shall be approved by an ordinance passed by the council of each of such cities before the same shall be binding on either of them.

SECTION 13. In the event of a sale of said park, the such joint board of park commissioners shall be dissolved on the full completion of said sale. In the event of a sale or lease of said park, the proceeds thereof shall be equally divided between the said two cities.

SECTION 14. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,

*Speaker pro tem. of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 14, 1893.

272G

[Senate Bill No. 576.]

## AN ACT

To authorize the improvement of public roads in certain townships by the township trustees thereof.

[CRANBERRY TOWNSHIP.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of any township in this state having within its

boundaries a village whose population was at the last federal census not less than seven hundred nor more than seven hundred and twenty, such township being bounded on its north side by two counties other than that of which it forms a part, and in which no free turnpikes have been constructed or are in course of construction, shall, when the petition of fifty or more taxpayers of such township (including such village) is presented to them, praying for the improvement of the public roads of such township, submit the question of the improvement of the public roads thereof to the qualified electors of such township, including such village, at a general or special election, within sixty days after the presentation of such petition.

SECTION 2. The qualified electors of such township (including those of such village) shall, at such election, have submitted to them the policy of improving its public roads by general taxation. And those voting in favor of such proposition shall have on their ballots "Road improvement by general taxation—Yes," and those opposed "Road improvement by general taxation—No." The township trustees shall cause notice of such election to be given in all the newspapers published in and of general circulation in such township, and shall also cause handbills announcing the same to be posted up at the usual place of holding elections in such township, at least ten days prior to such election.

SECTION 3. The trustees of such township shall appoint three judges and two clerks therein, who shall conduct such election in like manner as is by law provided for holding other elections. They shall, within three days thereafter, return to the clerk of such township a full and correct abstract of the votes cast at such election, and shall be governed, in all respects, by the laws regulating general elections, and shall receive the same compensation as judges and clerks at other elections, which shall be paid out of the township fund upon the order of the township clerk. The poll-books and abstracts so returned to the township clerk shall, within five days thereafter, be opened by the township trustees and clerk, and a correct statement of the result shall be entered upon the records of the township by the clerk for public inspection.

SECTION 4. If, at such election, a majority of the votes cast are against the policy of improving the public roads by general taxation, the township trustees shall not assess any tax for that purpose; but they shall, when a like petition is thereafter presented to them, again submit the same question at the next annual election, either spring or fall, to the qualified voters of such township, notice of which shall be given and the election conducted, in all respects, in the manner hereinbefore prescribed.

SECTION 5. If, at such election, a majority be found in favor of the policy of the improvement of the public roads of such township by general taxation, the trustees of such township shall appoint three freeholders of such township, at least two of whom shall reside within the corporate limits of such village, as commissioners to designate and determine the established roads of such township, which should, in their opinion, be improved; but no road shall be by them designated which does not extend beyond the township limits; nor shall any public highway within the corporate limits of such village be so designated unless it extends to and beyond the township line continuously. The commissioners may call to their aid a competent engineer, who shall make a correct map of the township, plainly showing the established roads of such township which have been by such commissioners designated for improvement, and also, profiles of such roads, showing the grades thereof as they then exist, which he shall turn over to the custody of the township clerk.



SECTION 6. The commissioners so appointed shall, before entering upon the discharge of their duties, take an oath or affirmation, honestly and impartially to discharge their duties with a view to the public welfare. They shall receive as compensation two dollars per day for each day actually employed. The engineer shall receive such sum, not exceeding four dollars per day, as he may with the commissioners agree upon. The compensation of the commissioners and the engineer shall be paid out of the township fund, upon the order of the township clerk, after allowance by the township trustees.

SECTION 7. After the report of the commissioners and the map and profiles of the engineer have been filed with the township clerk, the township trustees shall, in determining which roads shall be first improved of those designated by the commissioners, select one each running through said village in such township both "east and west" and "north and south" and if in their opinion, it is not expedient to undertake the improvement of the whole of said roads in all directions at one time it shall be left to the township trustees what portion of said roads to improve first.

SECTION 8. The trustees shall cause to be kept by the township clerk, in a book to be provided by them for that purpose, a full and complete record of their proceedings under this act, relating to the improvement of public roads; and also an accurate separate account of receipts and expenditures under its provisions; and no money raised for the improvement of public roads shall be drawn from the treasury except to pay liabilities already accrued, and then only in pursuance of orders caused by the trustees, whilst in session as a board, to be entered upon the record of their proceedings and by orders drawn in pursuance thereof by the township clerk, upon the township treasurer, and in favor of the persons only to whom the money is due.

SECTION 9. When the township trustees have by resolution determined to improve a designated road, the work of its construction shall be by them publicly let to the lowest responsible bidder, after due notice given of such letting by publication in one or more newspapers published in such township, and by handbills judiciously posted.

SECTION 10. For the purpose of letting contracts the trustees shall cause each road about to be improved to be divided into suitable sections, and the sections shall be numbered from the point of beginning toward the township line, and shall let the same by sections. All contracts shall be let upon proper specifications of the various kinds of labor required upon each section, and also the materials which shall enter into the construction of the same. Bidders shall be required to separately state their bids for each class of work in such manner as the trustees may demand, and shall also bid separately for the materials to be furnished.

SECTION 11. Each contractor shall be required to give bond in amount at least equal to the contract price, with sufficient sureties for the faithful performance of his contract, payable to the township trustees, for the use and benefit of the township, and with the necessary stipulations on the part of the contractor and the specifications of work and materials inserted therein.

SECTION 12. In all cases the construction of such improved roads shall commence at the point of beginning, and no payments for work or materials shall be made except upon estimates made by the superintendent of improved roads, appointed by the trustees, and by him duly certified, of work actually done, and of materials actually furnished, and after reserving such per cent., not less than fifteen, as may be fixed by the parties to the contract, to guarantee the performance thereof.

SECTION 13. No road shall be improved under the provisions of this act which is less than forty feet wide, and at least twenty feet thereof shall be turnpiked with earth so as to drain freely to the sides, and shall be raised with stone or gravel not less than nine nor more than sixteen feet in width, and not less than twelve inches thick in the center nor less than eight inches at the outer edge of such bed of stone or gravel, well compacted together in such manner as to secure a firm, even and substantial road. In no case shall the grade, or ascent or descent of the road be greater than seven degrees. The road shall be well provided with necessary side-drains, waste-ways and under-drains to prevent overflowing or washing by water; and the commissioners of the county in which such township is located shall, on the application of the township trustees, cause all necessary bridges and culverts on such roads to be constructed or reconstructed in a substantial manner, so as to conform to the grade of the improved road.

SECTION 14. All roads improved under the provisions of this act shall be free turnpikes; but the trustees of any such township shall have the same power to regulate the width of tires to be used on such roads as is conferred upon county commissioners in section 4904 of the Revised Statutes of the state of Ohio, and the penalties provided by section 4905 of said statutes, shall be applicable and imposed for any violation of the rules adopted by such trustees to regulate travel upon such improved roads.

SECTION 15. Before entering upon the improvement of any roads under the provisions of this act, the trustees of any such township shall employ some competent engineer, who shall be known as superintendent of improved roads, who shall be paid not more than four dollars per day, for the time actually employed, out of the funds raised for the improvement of roads. He shall, before entering upon his duties, take and subscribe an oath or affirmation to faithfully and honestly discharge his duties, and shall give bond in the sum of five thousand dollars, payable to the trustees, for the use and benefit of such township, conditioned that he will faithfully and honestly discharge his duties, all and singular as superintendent of improved roads of such township; and for the duties performed under the provisions of this act the trustees shall, upon filing an itemized statement with the clerk of the township, as provided for in section 1530 Revised Statutes, as amended April 21, 1890, receive two dollars per day in addition to the fees allowed in said section 1530 for other services rendered for the time actually employed, but such compensation shall in no one year exceed the sum of eighty dollars each for the services performed under said original act, and the trustees shall allow the township clerk for services performed under this act a reasonable compensation not to exceed fifty dollars in any one year.

SECTION 16. It shall be the duty of the superintendent of improved roads of any such township to prepare all plans, profiles and specifications, and to determine the grades of any road about to be improved by the trustees of such township, when by them directed so to do; and all work done on such roads shall be under his supervision, and all materials shall be inspected by him, and both shall be subject to his approval. No payments shall be made for any work or materials except upon his estimates and certificate that the same is in compliance with the contract. He shall make and furnish to the parties interested estimates for work done and materials furnished at such times as the contracts may provide, and may employ such assistants as he may require.

who shall receive such reasonable compensation as the township trustees may allow.

SECTION 17. For the purpose of providing the money necessary to meet the expenses of improving such roads, the trustees of any such township may, if in their opinion it be advisable, issue the bonds of the township, payable at such times as they may determine, not exceeding fifteen years, in sums of five hundred dollars each, bearing interest at a rate not exceeding six per cent. per annum, payable semi-annually; but such bonds shall not be sold for less than their par value, and the aggregate amount of the bonds of any such township shall not exceed thirty thousand dollars. The sale of all such bonds shall be advertised for at least thirty days, and the same shall be sold to the highest bidder.

SECTION 18. When the trustees of any such township have determined to improve any road or roads, as herein provided, in order to provide for the payment of such improvement, and to provide a fund for the redemption of any bonds issued by them under the provisions of section seventeen of this act, together with the interest thereon, they shall, in addition to the other road taxes authorized by law, levy annually, upon each dollar of the valuation of all the taxable property of such township, including such village, an amount not exceeding three mills upon each dollar of such valuation, and shall continue such levy from year to year until the bonds issued for that purpose, together with the interest thereon, have been paid.

SECTION 19. The trustees of any such township shall cause the amount of the taxes by them levied each year, under section eighteen of this act, to be certified to the auditor of the county in which it is located, as other taxes are certified to him, and the same shall be by him placed upon the duplicate of the taxable property of such township (including such village), and the same shall be collected by the county treasurer in like manner as other taxes are collected.

SECTION 20. The trustees of any such township shall provide for the keeping in repair of such improved roads, and for that purpose the provisions of sections 4891, 4892 and 4894 of the Revised Statutes are made applicable to such townships.

SECTION 21. To provide a fund for the keeping in repair of such improved roads the trustees of any such township may levy, annually, an amount not exceeding one-half of one mill upon each dollar of the valuation of all the taxable property of such township, including such village, in addition to the other road taxes by them levied.

SECTION 22. The treasurer of any such township shall receive and disburse all moneys arising from the provisions of this act. He shall receive as compensation therefor one per centum of the first ten thousand dollars or less disbursed by him in any one year, and one-half of one per centum upon any amount in excess of ten thousand dollars, to be paid out of the township fund, and he shall receive no other compensation for services under this act.

SECTION 23. No taxes or assessments shall be levied upon any property in such township (including such village) by the county commissioners of the county in which it is located, under the provisions of chapters six, seven and eight of title seven of the Revised Statutes of this state, after any of the public roads thereof have been improved under the provisions of this act.

SECTION 24. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
 ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 21, 1893.  
 346G

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[House Bill No. 1475.]

### AN ACT

Supplementary to an act entitled "An act to authorize the improvement of public roads in certain townships by the township trustees thereof," passed March 19, 1891 (88 O. L. 144), providing for the election of a superintendent of roads therein.

[ POLK TOWNSHIP.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in any township in this state wherein ten or more miles of the public roads thereof have been improved under the provisions of an act of the general assembly of the state of Ohio entitled "An act to authorize the improvement of public roads in certain townships by the township trustees thereof," passed March 19, 1891 (88 O. L. 144), there shall annually, from and after the passage of this act, be elected at the spring election for township officers, a superintendent of roads, who shall hold his office for one year thereafter; and the township trustees shall give notice of such election at the same time and in the manner as for the election of other township officers; provided that for the year next ensuing after the passage of this act, the township trustees shall appoint such superintendent of roads; and the office of supervisor of roads is hereby abolished in such townships.

SECTION 2. Each person so appointed or elected superintendent of roads of any such township, shall, before entering upon the duties of his office, take an oath faithfully to discharge the duties of his office, and give bond to the state of Ohio, for the use and benefit of such township, in the sum of two thousand five hundred dollars, with sureties to the approval of the township trustees, conditioned that he will faithfully and honestly administer the duties of his said office, which bond shall be filed with the township clerk.

SECTION 3. Such superintendent of roads shall have like powers, perform like duties, be subject to like penalties and receive the same compensation as are prescribed for the pike superintendent in sections 4880, 4883, 4885, 4886, 4887 and 4888 of the Revised Statutes of Ohio.

SECTION 4. Should a vacancy occur in the office of superintendent of roads, by death, resignation, removal, or otherwise, the trustees of the township shall appoint some suitable person to fill the vacancy, and the person so appointed shall, before entering upon the duties of his office, qualify himself in like manner and be under the same restrictions and penalties as though he had been duly elected.

SECTION 5. In addition to the fund provided for the repair of improved roads in such township by section 21 of the act to which this is supplementary, the trustees thereof shall also be invested with the same

powers to provide funds for that purpose, and to direct labor, as are by section 4881 of the Revised Statutes of Ohio, conferred upon the trustees of certain counties and shall also perform the duties therein prescribed.

SECTION 6. Section 20 of the act entitled "An act to authorize the improvement of public roads in certain townships by the township trustees thereof," passed March 19, 1891 (88 O. L. 144), is hereby repealed.

SECTION 7. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 24, 1893.  
364G

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[House Bill No. 1873.]

## AN ACT

To amend section 20 of an act to create a depositary commission in cities of the second class, fourth grade, having at the federal census of 1880 a population of not less than five thousand six hundred and thirty-five nor more than five thousand six hundred and eighty-five, or which at any subsequent federal census may have such population, and to establish a depositary for city and school funds of such cities.

[GALION.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section twenty of an act to create a depositary commission in cities of the second class, fourth grade, having at the federal census of 1880 a population of not less than five thousand six hundred and thirty-five nor more than five thousand six hundred and eighty-five, or which at any subsequent federal census may have such population, and to establish a depositary for city and school funds of such cities, be so amended as to read as follows:

Sec. 20. An officer, agent, or employe of any city contemplated by this act, or [of] any officer of the board of education of any such school district, who wilfully violates any provision of this act, or wilfully neglects or refuses to perform any duty imposed upon him by this act, shall, upon conviction thereof, be fined in any sum not exceeding one thousand dollars, for the use of the city, if he be an officer, agent, or employe of the city, and for the use of the school district if he be an officer, agent, or employe of the board of education thereof, or be imprisoned in the jail of the county not less than six months nor more than one year, or both, at the discretion of the court, and shall stand committed until fine and costs are paid. The council of any such city shall provide reasonable compensation to the clerk thereof in addition to any salary heretofore provided for in any sum not less than two hundred dollars nor more than four hundred dollars per annum, and to the treasurer thereof in addition to any salary heretofore provided for in any sum not less than two hundred dollars nor more than two hundred and ten dollars per annum for the additional duties imposed upon him by this act.

SECTION 2. That said section twenty of the aforesaid act, be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,  
*Speaker pro tem. of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 27, 1893.  
437G

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## CUYAHOGA COUNTY.

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[House Bill No. 1124.]

### AN ACT

To transfer funds by the board of education of Bedford village, Cuyahoga county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the village of Bedford, Ohio, be and they are hereby authorized to transfer from the bond fund to the contingent fund of said board the sum of seven hundred dollars (\$700.00).

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed February 3, 1893.  
42L

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[House Bill No. 1219.]

### AN ACT

To authorize the board of education of the village of Chagrin Falls school district to issue bonds for \$4,000 for school purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the village of Chagrin Falls school district is hereby authorized to issue the bonds of said school district, not exceeding in the aggregate the sum of \$4,000.00, payable in thirteen, fourteen, fifteen and sixteen years from date, respectively, with interest not exceeding six per cent. per annum. The proceeds arising from the sale of said bonds are to be used exclusively for the erection, completion and furnishing a school-house now partly built upon a site now owned by said school district, and for the purpose of paying the principal on said bonds as they mature and the interest thereon. Said board is further hereby authorized to levy for the four years from and including 1

year 1906 on each dollar of valuation of taxable property within said village school district and other territory attached to said district for school purposes, not exceeding five (5) mills per year in addition to that now allowed by law.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed February 9, 1893.

57L

[House Bill No. 1225.]

### AN ACT

To authorize the trustees of Euclid township, Cuyahoga county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Euclid township, in Cuyahoga county, in the state of Ohio, be and are hereby authorized to transfer two thousand and five hundred (\$2,500) dollars from the poor fund to the road fund, and five hundred (\$500) dollars from the poor fund to the township fund, and five hundred (\$500) dollars from the poor fund to the cemetery fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed February 9, 1893.

59L

[House Bill No. 1036.]

### AN ACT

To create a special school district in Rockport township, Cuyahoga county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following described territory is hereby created and declared to constitute a special school district, in Rockport township, Cuyahoga county, Ohio, to be known as "the Rockport special school district," to wit: Being all that part of said township lying east of Rocky river, and south of the south line of the hamlet of Lakewood, bounded follows: Beginning at the southwest corner of said hamlet at Rocky river, thence east along the south line of said hamlet to the township line; thence south along said line to the south line of said township; thence west along said township line, to the center of said Rocky river; thence northeasterly following the center line of said river to the place beginning.

SECTION 2. Such special school district shall be governed and controlled in all respects by such laws as are now or may hereinafter be in force relating to special school districts; provided there shall be elected in such special school district on the second (2d) Monday in April next, six (6) members of the board of education, two (2) to serve one (1) year, and two (2) to serve for two (2) years and two (2) to serve three (3) years as provided by law.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed February 16, 1893.  
68L

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[Senate Bill No. 470.]

### AN ACT

To authorize the commissioners of Cuyahoga county to issue the bonds of said county for certain purposes therein named, and to levy a tax for the redemption thereof.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Cuyahoga county, Ohio, be and they are hereby authorized and required to construct a new bridge or elevated roadway across the valley and watercourse commonly known as "Big creek" on Pearl street between the villages of Brooklyn and South Brooklyn in said county. For the purposes of said improvement, said commissioners may acquire by purchase, or at their option may appropriate, enter upon and hold such real estate as in their judgment may be desired or required for right of way, including all necessary slopes and embankments, and may also enter upon, occupy and hold, alter or change all or any portion of said road which lies between or within either or both of said villages, and which, in the opinion of said commissioners, may be deemed necessary in the proper construction of said improvement, including the necessary approaches thereto, and such proceedings for the appropriation of land for right of way purposes shall be taken as provided in section 879 of the Revised Statutes of Ohio, for the appropriation of land for court-house, jail or public offices in so far as the same are applicable and not inconsistent with the provisions of this act.

SECTION 2. For the purpose of providing the funds necessary for the construction of such bridge and improvements, said commissioners are hereby authorized to issue the bonds of Cuyahoga county for an amount not exceeding one hundred and sixty thousand dollars (\$160,000), which said bonds may be made payable any time not to exceed ten (10) years from the date of issue thereof, and shall bear interest at a rate not to exceed six per cent. per annum, payable semi-annually. Said bonds may be issued from time to time, and in such amount as the progress of the work or the convenience of the commissioners may require, and shall have written or printed thereon the date of, and citation to the law under which they are issued, and the words "Brooklyn bridge," and shall not be sold or negotiated for less than par; and the proceeds shall not be appli



to any other purpose than the payment of the cost and expense of the work and improvement hereinbefore provided, and to pay the interest on said bonds as the same shall accrue.

SECTION 3. The commissioners of Cuyahoga county are hereby authorized and required to levy a tax on all the taxable property in said county, in addition to all other taxes authorized by law, in such amounts as will be necessary to meet the payment of said bonds and interest as they shall become due, which levy shall be placed on the tax duplicate by the auditor of said county and collected as other taxes.

SECTION 4. That when a franchise is granted any street railroad company, operated by any motive power whatever, to pass over said bridge, said company receiving such grant or permission shall enter into an agreement with the county commissioners of Cuyahoga county to maintain and keep in repair said bridge to the satisfaction of the said board of commissioners, and any grant not containing these conditions shall be void.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed March 17, 1893.  
138L

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[ House Bill No. 1320.]

### AN ACT

To repeal an act entitled "An act in aid of the Cleveland shelter for friendless girls, located in the city of Cleveland, under the sole charge of the Cleveland evangelization society, a benevolent association incorporated under the laws of Ohio," passed May 4, 1891.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That an act entitled "An act in aid of the Cleveland shelter for friendless girls, located in the city of Cleveland, under the sole charge of the Cleveland evangelization society, a benevolent association incorporated under the laws of Ohio," passed May 4, 1891, be and the same is hereby repealed.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed March 17, 1893.  
144L

[ House Bill No. 1581. ]

## AN ACT

To amend an act entitled "An act to authorize the board of education of the village of Chagrin Falls school district to issue bonds for four thousand dollars for school purposes," passed February 9, 1893.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That an act entitled "An act to authorize the board of education of the village of Chagrin Falls school district to issue bonds for four thousand dollars for school purposes," be amended so as to read as follows: That the board of education of the village of Chagrin Falls school district is hereby authorized to issue the bonds of said school district, not exceeding in the aggregate the sum of four thousand dollars, payable in thirteen, fourteen, fifteen and sixteen years from date, respectively, with interest not exceeding six per cent. per annum. The proceeds arising from the sale of said bonds are to be used exclusively for the erection, completion and furnishing a school-house now partly built upon a site now owned by said school district. Said board is hereby authorized to annually levy a sum sufficient to pay the interest on said bonds as the same shall accrue, and for the four years from and including the year 1906 said board is authorized to levy in addition to any sum now allowed by law not exceeding five (5) mills annually on each dollar valuation of all the taxable property of said school district, a sum sufficient to pay said bonds, as the same shall mature.

SECTION 2. That said original act passed February 9, 1893, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed March 17, 1893.

147L

[House Bill No. 1422.]

## AN ACT

To amend section one of an act entitled "An act supplementary and amendatory to an act to amend section one of an act entitled an act to authorize the county commissioners of Cuyahoga county to build a monument or memorial tablet commemorative of the deceased soldiers and sailors of said county, and to purchase a site therefor, passed April 2, 1880 (vol. 77, p. 368), as amended February 4, 1881 (vol. 78, p. 316), as amended April 22, 1885 (vol. 82, p. 368), as amended April 16, 1888 (vol. 85, p. 564), as amended January 30, 1890 (vol. 87, p. 391)." and as amended April 2, 1891 (vol. 88, p. 786), and also to amend section seven of said amendatory act of April 16, 1888 (vol. 85, p. 564).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section one of an act entitled "An act to authorize the county commissioners of Cuyahoga county to build a monument or memorial tablet commemorative of the deceased soldiers and sailors of Cuyahoga county, and to purchase a site therefor," passed April 2, 1880 (vol. 77, p. 368), as amended February 4, 1881 (vol. 78, p. 316), as amended April 22, 1885

(vol. 82, p. 368), as amended April 16, 1888 (vol. 85, p. 564), as amended January 30, 1890 (vol. 87, p. 391), as amended April 2, 1891 (vol. 88, p. 786), and section seven of said act of April 16, 1888 (vol. 85, p. 564), be amended so as to read as follows:

Sec. 1. That the county commissioners of Cuyahoga county be and are hereby authorized and directed to levy a tax upon all the taxable property of said county, of seven-tenths of a mill on the dollar of the valuation of said property, in addition to any tax heretofore levied under said acts, which said seven-tenths shall be levied and collected as follows: For the year 1893, two-tenths of a mill; for the year 1894, two-tenths of a mill; and for the year 1895, three-tenths of a mill; which shall be levied and collected annually as aforesaid, for the purpose of erecting a suitable structure commemorative of the services, patriotism and valor of the soldiers and sailors of the union army and navy in the war of the rebellion, whoenlisted from Cuyahoga county, and putting in proper condition, and improving the grounds in said southeast section of said square around said monument, and the funds arising from levies heretofore made shall be applied, together with that to be raised in pursuance of this amendatory act, to the purpose aforesaid, together with the necessary expenses connected therewith; and said county commissioners are hereby authorized and directed to issue bonds or notes, at such times as they may be requested so to do by said monumental commissioners, for the amount of the said three-tenths additional levy to be made in the year 1895, and such bonds or notes to be made payable in such amounts and at such times as will make them come due, as near as practicable, at the times when the money will be collected and received from such levy.

Sec. 7. The board of monument commissioners shall have power and are hereby authorized, as the work on the monument or structure by them determined upon progresses, to make drafts upon the auditor of said county to pay for such work done and materials furnished under their direction, such drafts to be signed by a majority of the executive committee of said board, countersigned by its secretary, and upon receiving such drafts said auditor shall draw his warrant upon the treasurer of Cuyahoga county for the amount of such drafts; and the said county commissioners are hereby authorized and required to withdraw any portion of the money invested by them as herein provided, as the work on such structure progresses, and place the same in the county treasury to the credit of the monument fund, and the secretary of said board of monument commissioners is hereby required to give said county commissioners reasonable notice, in writing, of the intention of said monument commissioners to make drafts on the county auditor for money for such work or material. Upon the completion and dedication of the monument or structure, the said board of monument commissioners shall turn the monument over to a board of three commissioners selected by them, none of whom shall be one of their number, which said commissioners shall be ex-soldiers or sailors, and said board shall be perpetual, with power of succession, and such commissioners so selected shall have power and be required, within ten days after occurrence of a vacancy, to fill the same by selecting an ex-soldier or sailor or a member or descendant of members of either of the army organizations known as the grand army of the republic, union veteran union, or a member of the first class in good standing of the military order of the loyal legion of the United States, which said board shall serve without compensation. Said commissioners and their successors shall take an oath to faithfully perform their duties in caring for the

monument and grounds surrounding the same, and shall be empowered to employ an ex-soldier of the war of the rebellion or the regular army as attendant and guardian of such monument and grounds, at a reasonable compensation, to be paid out of the general fund of the county, upon a voucher of the president and secretary of the monument commission, and such attendant shall be vested with the ordinary powers of a policeman. Said board shall also be authorized to employ such assistance as may be required by the attendant, to take care of the monument and grounds, and to make such necessary expenditure as in their judgment will be required to make repairs to the monument or improvements to the grounds, to be paid out of the general fund of said county in the manner hereinbefore provided. Said board is authorized to prepare books, photographs, engravings, pamphlets and other souvenirs and through the attendant sell them, the proceeds of which shall be turned over to the county general fund. Said board shall not be allowed at any time to in any manner charge for admission to said monument, but shall be required under their own proper regulations to keep the tablet room open to the free use of the public. Upon the completion and dedication of such monument or structure, and after the same shall have been turned over as herein provided, the duties and powers of the present board of monument commissioners shall cease, and all balances of the monument fund unexpended after the monument is completed and dedicated, shall be turned over to the general fund of Cuyahoga county. The commissioners of Cuyahoga county shall provide the necessary steam heating and lighting supply in the county buildings and permit the monument commissioners to connect with same for the purpose of properly and sufficiently heating and lighting said tablet room and monument, and said present board of monument commissioners are hereby authorized to perform said work and lay the necessary pipes and conduits through the public grounds and streets for such purpose, the expense therefor to be paid from the monument fund.

SECTION 2. That said section 1 as amended April 2, 1891 (vol. 88, p. 786), and said section 7 of said act of April 16, 1888 (vol. 85, p. 564), be and the same are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed March 27, 1893.

209L

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[House Bill No. 1673.]

### AN ACT

To authorize the council of the village of Glenville, Cuyahoga county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Glenville, Cuyahoga county, Ohio be and the same is hereby authorized and empowered to transfer from the

police fund of said village to the fire and water fund of said village, the sum of two thousand dollars.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*

ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 5, 1893.  
242L

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[House Bill No. 1714.]

### AN ACT

To authorize the village of Collinwood, Cuyahoga county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Collinwood be and it is hereby authorized to transfer the sum of twelve hundred and fifty dollars (\$1,250.00) from the police fund to the general fund of said village.

SECTION 2. This act shall be in force and effect from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*

ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 6, 1893.  
255L

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[House Bill No. 1586.]

### AN ACT

To authorize the board of education of the village of Brooklyn, Cuyahoga county, to make additional levy for school purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the village of Brooklyn, Cuyahoga county, may for the next five years levy on each dollar of the assessed valuation of the taxable property of said village four (4) mills per year in addition to that now allowed; the proceeds of said levy to be used for school expenses other than for school-house purposes.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*

ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 20, 1893.  
326L

[House Bill No. 1845.]

## AN ACT

To transfer five hundred dollars from the town hall fund to the road and street fund of Lakewood hamlet, Cuyahoga county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of the hamlet of Lakewood, Cuyahoga county, Ohio, be and they are hereby authorized to transfer the sum of five hundred dollars from the town hall fund, to the road or street fund of said hamlet.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 24, 1893.

357L

[House Bill No. 1870.]

## AN ACT

To authorize the trustees of Rockport to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Rockport township, Cuyahoga county, Ohio, be and they are hereby authorized to transfer the sum of two thousand (\$2,000.00) dollars, from the poor fund to the road fund of said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 25, 1893.

380L

[Senate Bill No. 550.]

## AN ACT

To authorize the township trustees of Brecksville township, Cuyahoga county, to levy a tax for the purpose of building a sidewalk.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the township trustees of Brecksville township, Cuyahoga county, be and they are hereby authorized to levy a tax not to exceed one-half of one mill, in addition to the tax now authorized to be levied on the taxable property of the township for the purpose of constructing a stone sidewalk from the west side of the public square in the village of Brecksville to the entrance of cemetery.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 25, 1893.  
384L

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[House Bill No. 977.]

## AN ACT

To prescribe the duties and powers of the board of county commissioners in counties containing a city of the second grade of the first class.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in counties containing a city of the second grade of the first class, the board of county commissioners shall provide suitable rooms in the court-house in which to meet and transact business; and shall also provide the necessary blank-books in which to keep a journal of its proceedings, and its records; and also to provide office furniture, fuel, and the stationery necessary for said board.

SECTION 2. A majority of the members shall constitute a quorum for the transaction of business. All proceedings of the board shall be public; it shall determine the rules of its proceedings which shall be as far as practicable in accordance with parliamentary law; it shall keep a journal of the proceedings which shall be open to public inspection during ordinary business hours, except when in use by the board. The commissioner whose term first expires shall be president, who shall preside at all regular and special meetings of the board, and whose term of office as such shall end on the first Monday in January of each year. The members of the board shall perform the duties now required of them by law, and shall give their personal attention to all public work under their charge during construction, and at such other times as is necessary. The board by its rules shall fix certain days of the week which shall be devoted to public sessions of the board at which all members are required to attend. The president shall also call special meetings of the board when the same is necessary. The board shall elect at its first session after the passage of this act a clerk, not a member of the board, who shall keep an accurate journal of all proceedings of the board and make a record of proceedings required by law to be recorded, and file away all documents, maps and papers and carefully preserve the same, as well as preserve all journals and records belonging to the board.

SECTION 3. The first clerk appointed under the provisions of the act shall hold his office until the first Monday of January in the year 1895, after which he shall be appointed for two years; he shall hold his office during the term for which he was appointed unless removed by death, resignation, incompetency, or inefficiency; before entering upon the duties of his office he shall give a bond to the state with two or more sureties, to the acceptance of the probate judge of the county in the sum of two thousand dollars, conditioned for the faithful discharge of the duties of his office, which bond with his oath of office indorsed thereon shall be deposited with the treasurer of the county, who shall record and

carefully preserve the same in his office. The clerk of the board shall be entitled to receive a salary not to exceed twelve hundred dollars per annum, to be determined by the board of county commissioners; he shall be provided with a seal of office in the center of which shall be the name of the county, and around the margin the words, "board of county commissioners." The board shall have power at any regular meeting to fill the vacancy of the clerk for the unexpired term. Transcripts, orders and certificates, when duly certified to by the president of the board and the clerk with the seal attached, shall be received as evidence in any court of the state, and for the same, similar fees shall be paid the clerk as are allowed to county officials for like services, and all sums thus received shall be by said clerk entered in a book to be kept for that purpose, and the gross amount thus received shall by him be paid into the county treasury and credited to the general fund, but when any such transcripts, orders and certificates are prepared on behalf of the county by order of commissioners no fee shall be allowed.

SECTION 4. The county auditor in said county shall aid the commissioners in the performance of their duties by his presence, advice and information, which he is required to give in all matters pertaining to the duties of county auditor or county commissioners when requested in writing by any member of the board; the county auditor in said county is required to perform all duties in aid of the commissioners now required by law, but he shall neither act as their clerk, nor appoint a deputy to act as such, nor have control of the books, documents, furniture or office.

SECTION 5. All books, papers, plats, records, journals, petitions and all other matters and things whatever, in any wise relating or appertaining to, or necessary to the business of the commissioners, and to county and state roads, free turnpikes, and all applications for road improvements and all accompanying papers now or heretofore in the custody or under the control of the auditor of said county or on file in his office shall be by him placed in charge of said board of county commissioners, to be kept by it in some convenient place in its office, open at all times to the inspection of the public.

SECTION 6. In said county all plats, profiles, and surveys on applications for road improvements when the applications fail, and the county commissioners refuse to order the construction of the road shall be carefully preserved in the office of the board of county commissioners and in case a new application for the same road or any part thereof is made, and said plats, profiles, or surveys or any part thereof are used by the county commissioners (the authority to do which is conferred on said commissioners) the persons originally charged with the cost of the same shall be paid for all or such part of said plats, profiles or surveys as are so used, in the manner now provided by law.

SECTION 7. All acts and parts of acts conflicting with any of the provisions of this act be and the same are hereby repealed as to any county containing a city of the second grade of the first class.

SECTION 8. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed February 9, 1893.



[House Bill No. 1184.]

## AN ACT

To require the clerk of the court of common pleas of any county containing a city of the second grade of the first class, upon order of the court of common pleas of such county, to make separate indexes of the records of the declaration of intention of aliens to become citizens, and of the naturalization of aliens.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the clerk of the court of common pleas of any county containing a city of the second grade of the first class, shall, whenever the court of common pleas of such county shall order, make and thereafter keep, in addition to the general indexes now required to be kept by him, a separate alphabetical index of the records of said court of the taking and entering of the declaration and intention of aliens to become citizens of the United States, and of the final admission of aliens to the rights of citizenship, and of all proceedings in relations thereto had in said court from the organization of said county, which index shall show the name of the applicant, his nativity, age when naturalized, when and where his declaration to become a citizen was filed, when he was admitted to citizenship, and the journal and page thereof containing such record.

SECTION 2. The clerk shall receive the same fee for making such indexes as is now provided by law for making indexes of judgments, and such fee shall be paid to him out of the treasury of said county.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed February 15, 1893.

54G

[House Bill No. 1349.]

## AN ACT

To repeal an act passed March 9, 1849, and entitled "An act to incorporate the Cleveland and Willoughby plank road company."

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That an act passed by the general assembly of the state of Ohio on the 9th of March, 1849, and entitled "An act to incorporate the Cleveland and Willoughby plank road company," be and the same is hereby repealed.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed March 8, 1893.

108G

[Senate Bill No 361.]

## AN ACT

To amend and supplement section 38 of "An act to provide a more efficient government for cities of the second grade of the first class," passed March 16, 1891.

[CLEVELAND.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 38 of "An act to provide a more efficient government for cities of the second grade of the first class," passed March 16, 1891, be and is hereby amended and supplemented so as to read as follows:

Sec. 38. There shall be the following subdivisions in the department of public works, to wit:

1. A division having the care and management of the water-works and all property connected therewith, the supply and distribution of water and the collection of water rents, of which division there shall be a chief engineer to be called the superintendent of water-works.

2. A division having charge of the repairing and cleaning of streets, avenues, alleys, highways and catch-basins, excepting those of parks and public grounds, of which division there shall be a chief officer to be called the superintendent of streets.

3. A division having the charge of the opening, improving and lighting of streets, avenues, alleys and highways, the constructing, protection and repair of public buildings, bridges, sewers and structures of every kind under the administration of this department, excepting those in parks and public grounds, of making and preserving of all surveys, maps, plans, drawings and estimates relating to the public work under the charge of said department, and of all matters and things relating to or affecting the highways, footways, waterways, harbors, wharves and docks, drainage and dredging, excepting those of parks and public grounds; there shall be a chief engineer of said division to be called the chief engineer.

4. A division having charge of the parks and public grounds, and all property connected therewith, of which division there shall be a chief officer to be called the superintendent of parks. It shall be the duty of the director of public works to forthwith appoint a superintendent of parks, duly qualified, who shall have a compensation of twenty-five hundred dollars per year, and who shall hold his position as such superintendent for a term of five years from the date of his appointment. It shall be the duty of such superintendent to properly care for the public parks and public grounds, and all property connected therewith, and that may hereafter, in any way be acquired, and to have the superintendence and management of all improvements ordered to be made in any and all of such parks and public grounds, and all property connected therewith.

SECTION 2. That section 38 of "An act to provide a more efficient government for cities of the second grade of the first class," passed March 16, 1891, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed March 17, 1893.  
142G

[Senate Bill No. 428.]

### AN ACT

To create a sinking fund to provide for the payment of the bonded indebtedness of boards of education in city districts of the second grade of the first class.

[CLEVELAND.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That boards of education in city districts of the second grade of the first class are hereby authorized and required, for the purpose of providing for the payment of bonds of said boards and the interest thereon, to levy, annually, for a period of nine years beginning with the year 1894 and ending with the year 1902, upon the general tax duplicate of said city district in addition to its levies for all other purposes, a tax not exceeding two-fifths of a mill on the dollar in each year; and said boards of education are hereby authorized and required, for the purpose of providing for the payment of said bonds and interest as aforesaid, to levy, annually, for the period of five years beginning with the year 1903 and ending with the year 1907, upon the general tax duplicate of said city districts, in addition to its levies for all other purposes, a tax not exceeding one-fifth of a mill on the dollar in each year; and the tax to be so levied shall be applied to no other purpose than the payment of said bonds and interest thereon; provided, that in case said boards of education shall refuse, fail or neglect to create a sinking fund, and to appropriate to use thereof the money as hereinafter provided, then and in that case, immediately upon such refusal, failure or neglect, the authority to levy the tax herein provided for shall cease.

SECTION 2. That it is hereby made the duty of said boards of education within one year after the passage of this act, for the purpose of providing the means to pay the principal of all bonds and interest thereon as provided in section one of this act, to create a sinking fund, and no part of said fund so created, and none of the money deposited in or appropriated to the use of said sinking fund shall be used for any other purpose whatever than that for which it was created; and the said boards of education shall provide for the control and management of said sinking fund and for the appointment of five commissioners who shall be known as the "board of education sinking fund commission;" and they shall be appointed by the said boards of education, and serve without pay, and each shall give bond in such sum as may be fixed by said boards of education, and said commissioners shall not be removed from office except by the said boards of education for cause, and the

order for such removal shall be in writing, specifying the reason therefor, and all vacancies occurring in said sinking fund commission shall be filled by the said boards of education.

SECTION 3. That said boards of education shall appropriate to the use of said sinking fund when so created, the tax provided for in section one of this act; and it shall further be the duty of said boards of education, annually, for a period of fourteen years beginning with the year 1894 and ending with the year 1907, to appropriate to the use of such sinking fund when so created from the regular revenues of said boards provided for by law prior to the passage of this act, the sum of forty thousand dollars.

SECTION 4. That it shall be the duty of said boards of education to appropriate to the use of said sinking fund, all money that may hereafter be paid into their respective treasuries to make good any loss sustained or occasioned by reason of the defalcation of the treasurer of any of said boards of education.

SECTION 5. That all the provisions of the statutes of this state in force when this act takes effect, which conflict with any provisions of this act shall be held to be superseded by the latter, and as to the matter of inconsistency and not otherwise, the same are hereby repealed.

SECTION 6. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed March 17, 1893.  
144G

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[House Bill No. 1408.]

## AN ACT

To provide for the payment of one-half of the taxes received from foreign insurance companies in counties containing a city of the second grade of the first class, to the police department fund, to the police pension fund, and to the fire department pension fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county treasurers of counties containing a city of the second grade of the first class shall, semi-annually, at the time of their semi-annual settlement with the auditors of their respective counties, pay over to the treasurer of such city one-half of the amount to which such city is entitled under its annual levy to receive, of all the taxes paid into the treasuries of their respective counties by foreign insurance companies on their gross receipts, under the provisions of section two thousand seven hundred and fifty-five of the Revised Statutes, during the half year preceding such semi-annual settlement; and the money so paid over to the city treasury shall be credited as follows: For the year eighteen hundred and ninety-three the whole thereof to the police department fund; thereafter, the whole thereof to the police pension fund until such time as said fund shall have to its credit the full sum of one hundred thousand dollars; thereafter, two-thirds of said one-half to the police pension fund, and the remaining one-third thereof to the firemen's pension fund.

fund of such cities; and the moneys thus paid in, shall be controlled, administered and disbursed in accordance with the provisions of the Revised Statutes of Ohio, governing the mode and manner of distributing the same.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 22, 1893.  
170G

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[House Bill No. 1417.]

### AN ACT

To authorize the council of any city of the second grade of the first class to issue bonds for the purpose of defraying the expense of increasing the efficiency of the department of fire of such city.

[CLEVELAND.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of any city of the second grade of the first class be and the same is hereby authorized to borrow money in any sum not exceeding two hundred and forty-seven thousand dollars, at a rate of interest not exceeding five per centum, payable semi-annually, for the purpose of defraying the expense of increasing the efficiency of the department of fire of such city, and to issue the bonds of such city therefor in such denominations, and payable at such times as the council may determine.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 27, 1893.  
183G

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[House Bill No. 1223.]

### AN ACT

To authorize cities of the second grade of the first class to issue bonds for the purpose of reconstructing or repairing bridges therein.

[CLEVELAND.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That any city of the second grade of the first class in the state of Ohio be and it is hereby authorized to borrow money in a sum not to exceed three hundred thousand dollars (\$300,000) at a rate of interest not to exceed five (5) per cent. per annum, payable semi-annually, for

the purpose of reconstructing or repairing bridges and approaches thereto within such city as the council may direct; for the purpose of paying said indebtedness such city is hereby authorized to issue its bonds for the aggregate amount of said loan in such denominations and payable at such time or times as the council may determine. Said bonds, except as indicated in the foregoing, shall in all other respects conform to the requirements of chapter 2, division 9, title 12 of the Revised Statutes of the state of Ohio.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,

*Speaker pro tem. of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed March 30, 1893.

196G

[House Bill No. 1180.]

## AN ACT

To provide a board of park commissioners and to provide for the acquisition of grounds for parks, park entrances and park driveways, and for the improvement, management and control of parks, park entrances, and park driveways in cities of the second grade of the first class.

[CLEVELAND.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in cities of the second grade of the first class there shall be a board of park commissioners consisting of five members, who shall be electors of the city for which they are appointed; two of whom shall be the mayor and president of the city council for the time being, and three of whom shall be appointed by the trustees of the sinking fund of such city, if there be such trustees; and if there be none, then by the court of common pleas of the county in which such city is situated. One member of said board shall be appointed for the term of three years; one member for the term of four years, and one member for the term of five years from the date of their appointment; and at the expiration of each of said terms the appointment of their successors shall be for the term of five years. All the members of said board so appointed shall serve until their successors are appointed and qualified, and all vacancies on said board shall be filled for the unexpired time only. Members of said board of park commissioners, before entering upon their duties, shall take and subscribe an oath of office to honestly and faithfully perform their duties. Said three members so appointed shall serve without compensation, and shall each give bond in the sum of twenty-five thousand (\$25,000.00) dollars, to the approval of the mayor for the faithful performance of their duties. The office of any member of said board so appointed who shall not attend the regular meetings of said board, fixed by their rules and regulations, for a period of three successive months, without reason therefor satisfactory to the said board, shall be declared vacant by said board and the appointing power notified to fill such vacancy.

SECTION 2. Said board of commissioners shall have exclusive charge, supervision and control of the parks, park entrances and par

driveways now belonging to such city, or in its control, and of all such property as may hereafter be acquired for parks and for park entrances and park driveways, connecting or leading to and from such parks. Said board of park commissioners shall have power to acquire and hold property in the name of the city by purchase or condemnation for public parks and for park entrances and park driveways connecting and leading to or from such parks; to receive gifts, donations and devises of lands or other property for public parks, park entrances or park driveways on behalf of the city in the name of the city; to lay out, construct and improve with walks, drives, roads and bridges, shelter houses and other improvements, the public parks, park entrances and park driveways held by it or under its control; to enter into contracts for the construction and improvement of said parks, park entrances and park driveways; to adopt rules and regulations regulating the use of the same and the travel and traffic thereon and to prevent disorder and improper conduct within the precinct of any park, park entrance or park driveway. All rules and regulations which the said board shall at any time pass, shall, immediately after passage, and before taking effect be published at least ten days in two daily newspapers of opposite politics and of general circulation printed in city. Said board of park commissioners shall also have power to agree with the owner or owners of any street railway occupying any part of any park entrance or park driveway, or any public road or street which may be placed under the charge of said board of park commissioners, as provided in section eight of this act, for the removal of any such street railway therefrom, which, in the opinion of said board of park commissioners may interfere with the use of such park, park entrance or park driveway, road or street for park purposes; and upon the terms of such removal and the amount of compensation agreed upon to be paid such owner or owners, shall be paid out of the park funds hereinafter provided to be raised by special assessment. Provided however, that no such agreement for removal shall be made until there shall be filed with the board of park commissioners written applications therefor signed by the persons owning a majority of the frontage upon any street or part of street from which such street railway is to be removed.

SECTION 3. Said board of park commissioners shall also have power to receive in the name of the city, gifts, donations and devises of lands or property for the establishment or maintenance within the limits of any park or museum, zoological or botanical gardens, collections of natural history, observatories or works of art, upon such terms and conditions as may be agreed upon by and between the grantors or donors thereof and the said board of park commissioners, subject, however, to the approval of the city council and mayor of such city. But all property so to be granted, conveyed, demised or bequeathed, and the rents, issues and profits thereof, must be subject to the management and control of the said board of park commissioners, and may be improved or added to in its discretion, and shall be protected, preserved and arranged by the said board of park commissioners for public use and enjoyment, under such rules and regulations as the said board shall from time to time prescribe. Admission to said gardens and museums shall be free to the public. Said board of park commissioners shall also have power to agree, subject to the approval of the city council and mayor of such city, for the management and maintenance of any of the said gardens or other institutions, with any society incorporated or to be incorporated under any law of this state; but such gardens or other institutions shall remain subject to

the control of said board of park commissioners until the expiration of their terms.

SECTION 4. It shall be unlawful for any person to cut, injure or deface any tree, building, fence or other erection in the parks; to turn domestic animals or poultry of any description upon the parks or to permit them to wander therein; to carry fire-arms within or to frighten or hurt animals or birds belonging to the parks; to hinder or interfere with men employed upon the parks. All persons found violating the provisions of this section or any of the rules, regulations or ordinances adopted by said board or the city council shall be guilty of a misdemeanor and shall be punished on conviction before the police court of said city, upon complaint and proceedings as now had and provided by law in cases of misdemeanors and violation of city ordinances, by a fine not exceeding \$50.00, and in default of payment be imprisoned not exceeding thirty days. And the jurisdiction of the police court of said city is hereby expressly extended to include all parks, park entrances and park driveways belonging to said city, and under the control of said board, whether within or without the corporate limits of said city. Said board of park commissioners and their officers and employes shall have power to make arrests for misdemeanors committed within the precincts of any park, park entrance or park driveway under their management and control, whether within or without the limits of the city, or for the violation of any rules, regulations or ordinances established by said board or city council for the government of said parks. Said board of park commissioners shall have power to seize and impound any cattle, horses, mules, donkeys, goats, swine, sheep or other animals, or any poultry of any description found running at large upon any of said parks, park driveways or park entrances to impose a penalty not to exceed \$5.00 with reasonable expenses, upon each animal or the poultry so seized, and to enforce payment thereof in such manner as they shall by the rules and regulations provide.

SECTION 5. Any person violating any of the rules, regulations or ordinances of any such board of park commissioners, or city council or violating any statutes of Ohio relating to parks or ordinances of any municipal corporation relating to parks, in which any such board of park commissioners shall have been appointed, shall be liable to a civil action for damages to be brought by said board of park commissioners in the name of said city; and the amount recovered shall be paid into the park expense fund of such corporation herein provided for.

SECTION 6. Said board of park commissioners may employ such superintendents, engineers, landscape gardeners, laborers and other employes as it may deem necessary to perform and accomplish the purposes of this act. They shall fix the salaries and compensations to be paid such employes, and they are hereby authorized to establish a park police force, consisting of such numbers of persons as the board may deem necessary. Said board shall have power to uniform such force in the manner they may direct, and empower said force to preserve the peace, and enforce such rules and regulations and ordinances as the board or city council may enact and is hereby authorized to adopt for the government of said parks.

SECTION 7. Said board of park commissioners shall have power to appropriate, enter upon and condemn for public use, and hold and possess on behalf of and in the name of such city any property for enlarging any park or parks now owned by such city, and for establishing such public



park or parks, park entrances and park driveways, as in the opinion of such board of park commissioners it may be necessary from time to time to establish, either within or without the limits of such city; and when said board shall determine to appropriate property for such use, a resolution to that effect shall be passed by said board and entered upon its minutes, declaring the intention to appropriate such property and the necessity therefor, with a pertinent description of the property to be appropriated, which resolution shall be certified to the corporate counsel of such city, whose duty it shall then be to apply in writing, in the name of such city, to the court of common pleas of the county, or judge thereof, in vacation, or to the probate court of the county, for the impaneling of a jury to assess the compensation to be allowed the owners of the property appropriated in the manner provided in chapter 3, division 7, title 12 of the Revised Statutes for appropriating private property by municipal corporations; and all the proceedings hereunder, except as herein authorized, shall be governed by the provisions of said chapter 3, division 7, title 12; provided, that if such proceedings are commenced in the probate court of the county, neither party shall have the right to appeal, but either party may institute proceedings in error, as provided by law; and the amount of compensation adjudged to any owner or owners, together with the costs and expenses of such proceedings, shall be paid out of the park funds herein provided.

SECTION 8. Said board of park commissioners shall also have power by a four-fifths ( $\frac{4}{5}$ ) vote to take charge of, control and improve any public road, street, alleyway or grounds of any kind, or any part thereof, for the purpose of a park entrance or park driveway, with the consent of the proper municipal authorities or of the other corporation, or public officers or authorities owning or having charge thereof, upon payment of the damages, if any, caused thereby to the owners of private property injured thereby, to be ascertained in the manner now provided by law for ascertaining the damages caused by the vacation of streets; and such damages, if any, shall be paid out of park funds raised by special assessment as hereinafter provided. The appropriation of any street or road for the purpose of a park entrance or park driveway shall not relieve the owners of land abutting thereon from liability to pay for sewerage, pavements, water or other street improvements, but such improvements shall be made by or under the direction of said board of park commissioners, and such board shall have the same power to assess the cost thereof, as well as the cost of street improvements, in or upon any park driveway which may be acquired by purchase or condemnation, or otherwise, upon the lots and lands abutting upon the driveway so improved, which are now or may be hereafter possessed by the city council in the case of the other streets of said city. The proceeds of such assessment shall be paid to the city treasurer to the credit of said board of park commissioners, and subject to their order by warrants drawn on the treasurer of said city.

SECTION 9. Said board of park commissioners shall also have power to vacate or close up within the limits of any park or parks, any and all public roads and highways, excepting railroads, which may pass through, divide or separate any lands selected or appropriated by it for parks upon payment of damages, if any, caused by such vacation to the owners of private property injured thereby, to be ascertained in the manner now provided by law, and such damages, if any, shall be paid out of the park funds; and no such road or highway, and no railroad, whether

street or steam, shall be laid out through any park or parks, except with the consent of said board of park commissioners and city council; but the proper municipal authorities of said city may grant the right to cross the park driveways with steam or street railroads.

SECTION 10. To provide a fund to pay the cost and expense of enlarging the present parks of such city, and for the establishment of such park or parks, park entrances and park driveways, as in the opinion of said board of park commissioners from time to time it may be necessary to establish, and for the improvement of the present parks of such city, and the improvement of such park or parks, park entrances and park driveways, either within or without the limits of such city as may be established and put under the control of said board, and for the improvement of the present parks, and all parks, park entrances or park driveways, which said board of park commissioners may from time to time establish, it shall be lawful for said board of park commissioners, by a four-fifths vote of said board and they are hereby authorized to borrow a fund not exceeding the sum of \$1,000,000, and to issue therefor bonds of such city in the name and under the corporate seal of such city. Said bonds shall be made payable at such time not less than thirty years from the date of their issue, and shall bear interest at such rate, not to exceed four per cent. per annum, as said board of park commissioners shall determine; said bonds shall be signed by the president of the board of park commissioners, and the mayor of such city, and be attested by the city auditor of such city, and shall be secured by the pledge of the faith of such city and tax, which it shall be the duty of said board of park commissioners or its successors, annually, to levy on the real and personal property returned on the grand duplicate, sufficient to pay the interest of said bonds and certify the same to the county auditor. Before the maturity of said bonds the city council of said cities shall also levy a tax upon all of said real estate and personal property sufficient to pay the principal of said bonds and certify the same to the county auditor. Said tax, to pay the interest on said bonds and the principal thereof shall be in addition to the amount now authorized by law to be levied for municipal purposes, and when so certified shall be placed upon the grand duplicate of said city by said county auditor and collected according to law. But said board of park commissioners may decline to pay the cost and expense aforesaid or any part thereof from the issue of bonds aforesaid and shall not pay the cost and expense or any part thereof of appropriating or purchasing any street railway property or franchise from the issue of bonds aforesaid, in which event such cost and expense or any part thereof, not paid from the issue of bonds, shall be assessed by said board of park commissioners on the lots and lands abutting on such park, park entrances or park driveways, and such adjacent and contiguous or other benefited lots and lands in the corporation, either in proportion to the benefits which may result from the improvement, enlargement or establishment aforesaid, or according to the value of the property assessed, or by the foot front of the property bounded or abutting upon the park, park entrances or park driveways, as said board of park commissioners before the improvement, enlargement or establishment aforesaid, may determine, in the manner and subject to the restrictions provided in subdivision 1, chapter 4, division 7, title 12, of the Revised Statutes of Ohio as to assessments in cities of the second grade of the first class, in the cases mentioned in section 2263 of said Revised Statutes, except that said board of park commis-

sioners shall have all the authority in reference to parks, park entrances and park driveways therein conferred upon the city council in reference to the improvements therein named.

**SECTION 11.** Said board of park commissioners shall receive bids for said bonds from time to time, as they may desire to dispose of them or any part of them, after advertising them for sale once a week for four consecutive weeks on the same day of the week in two newspapers of opposite politics and general circulation in such city, and shall sell the same for not less than par value to the highest bidder. The money arising from the sale of said bonds shall be placed in the city treasury to the credit of said board of park commissioners in a fund to be called the "park fund." Warrants drawn upon the city treasurer for payment out of said funds shall be designated on their face "for purchase of parks, park entrances and park driveways," or "for improvement of parks, park entrances and park driveways," according as they are drawn for the one purpose or the other, and a careful account of the condition of said fund shall be kept by the city auditor of said city. No part of the funds realized from the sale of said bonds shall be applied to any other purpose than the acquisition of park lands, park entrances and park driveways and the improvement of such parks, park entrances and park driveways as are now or hereafter may be acquired. And no part of said funds shall be applied to the expense of management of any such parks, park entrances and park driveways, but the expense of management and control of all parks, park entrances and driveways now or hereafter established shall be paid from the annual levy which may be authorized for park purposes or from other sources.

**SECTION 12.** In addition to the powers already conferred upon said board of park commissioners to make an annual tax levy to meet the interest for said bonds, said board of park commissioners shall also annually certify to the city council the estimated amount needed for defraying the expense of managing and controlling the parks, park entrances and park driveways, and said council shall thereupon annually levy a tax not exceeding one hundred thousand dollars (\$100,000.00), and not exceeding the amount of such estimate on all the taxable property in said city, for the purpose of defraying such expense; and the same shall be certified to the county auditor, and collected according to law, as other taxes. But such levy shall be subject to the approval of the board of equalization and assessment, and the proceeds of such levy shall be placed in the city treasury to the credit of said board of park commissioners in a fund to be known as the "park expense fund," and applied exclusively to the expense of managing, maintaining and controlling the parks, park entrances and park driveways. Warrants drawn on the city treasurer by said board of park commissioners for payment out of said funds shall be designated on their face "park expense fund."

**SECTION 13.** All revenues arising from the public property under the management and control of said board of park commissioners, together with all fines, penalties and damages for the violation of any of the rules, regulations and ordinances established by said board under the provision of this act, shall be placed in the city treasury to the credit of said board in the fund known as the "park expense fund."

**SECTION 14.** None of said board of park commissioners, nor any person in the employ of said commissioners, shall have the power to create any debt, obligation, claim or liability for or on account of said board, or the moneys or property under his control, except with the

express authority of said board, conferred at a meeting thereof duly convened and held.

SECTION 15. The title of all property now or hereafter acquired for park purposes, park entrances and park driveways, with all improvement and equipments shall be held free from all taxes and assessments by state, county or municipality, and subject only to a lien to secure such park bonds as may be hereafter issued.

SECTION 16. No power possessed by said board of park commissioners shall be delegated to or performed by any one member of said board, or any of the committees of said board, but all power possessed by said board shall be exercised by said board as a board.

SECTION 17. Said board shall not enter into any contract for work and material or supplies to be furnished under this act, where the cost will exceed five hundred dollars without first causing at least ten days' notice to be given in two newspapers of opposite politics and general circulation in such city, that sealed proposals will be received for doing the work, or furnishing the materials or supplies. All bids shall be inclosed in a sealed envelope and deposited with the clerk of said board; and such sealed envelopes shall have endorsed thereon the nature of the same, and the name of the bidder; and all bids shall be opened at a regular meeting of the board, and at an hour to be indicated in said notice. Each bid shall be accompanied by a bond, signed by sufficient sureties, for the acceptance of the contract, if awarded by the board; or the bidder may deposit with the board, in lieu of such bond, a certified check or cash, in such sum as the board shall indicate; and in case of refusal by the bidder to enter into a contract according to his bid, within such reasonable time as the board may determine, said bonds shall be put in suit, and the amount collected paid to the park fund, or if check or cash is deposited the amount shall be immediately paid into such fund. Said board shall enter into contracts with the lowest and best bidder, upon his giving bond to such city with such sureties as the board shall approve, that he will perform the work and furnish materials in accordance with his contract, and that the sureties agree in advance to such modifications and alterations as may be made by the board and the contractor, and upon failure of such bidder, within a reasonable time to be fixed by the board, to enter into bond with the sureties before provided, a contract may be made with the next lowest bidder, and so on until a contract is effected with a contractor giving bond as aforesaid; provided, that the board may let the work in part or in whole, and may receive bids for labor and material separately as they may deem best, and may reject any and all bids.

SECTION 18. No member of the board or any employe shall be interested in any contracts entered into or expenditures made by said board.

SECTION 19. Said board of park commissioners shall annually make a report of its proceedings, together with the total amount of its expenditure to the legislative body of such city.

SECTION 20. That any and all acts, and all sections or portions of the Revised Statutes of Ohio, in and so far as the same are inconsistent with any of the provisions of this act are hereby repealed.

SECTION 21. This act shall take effect and be in force from and after its passage for a period of seven years thereafter, after which time all the powers herein conferred upon the board of park commissioners

shall be vested in the director of public works of said cities; provided that the person named by the director of public works as superintendent of parks, under section 38 of an act to provide a more efficient government for cities of the second grade of the first class passed March 16, 1891, shall remain in office and perform the duties thereof until the expiration of his term.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 5, 1893.  
211G

[House Bill No. 1187.]

### AN ACT

To amend section 79 of an act entitled "An act to provide a more efficient government for the cities of the second grade of the first class," passed March 16, 1891.

[CLEVELAND.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 79 of an act entitled "An act to provide a more efficient government for the cities of the second grade of the first class," passed March 16, 1891, be and the same is hereby amended so as to read as follows:

Sec. 79. Whenever an action is brought against the city on a claim for which the city would have a right of action over against another person, company or corporation, either upon a bond or otherwise, the city may, by filing a cross-petition in such action, require such person, company or corporation to be made co-defendants therein; and if such right of action on the part of the city over against such person, company or corporation is upon a bond, the city may also require the sureties on such bond to be made co-defendants, in which case it shall attach a copy of such bond to its cross-petition; and thereupon such co-defendants may make any defense to such claim that the city may make, and shall be liable to pay the judgment, if any, rendered therein against the city and said co-defendants or any of them; and shall be primarily liable on such judgment; and proceedings on such judgment shall be stayed as against the city until an execution shall have been issued and returned wholly or partially unsatisfied against all such co-defendants, and if the city shall at any time pay the whole or any part of any such judgment, it shall thereupon, to the extent of such payment, have and be subrogated to, all the rights and remedies against such co-defendants, upon such judgment as the plaintiffs had.

SECTION 2. Said section 79 of said act of March 16, 1891, is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 6, 1893.  
223G

[House Bill No. 1578.]

## AN ACT

To require all cities of the second grade of the first class to make annual specific and detailed appropriations of its revenues, and to repeal an act entitled "An act to require the city council in all cities of the second grade of the first class to make, by the first week of each fiscal half year, detailed and specific appropriations for the several objects for which the city has to provide," passed April 28, 1890 (87 O. L., p. 342).

[CLEVELAND.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in all cities of the second grade of the first class the council shall, on or before the third Monday in January in each year, pass an ordinance making detailed and specific appropriations for the several objects for which such city has to provide during the current fiscal year ending on the 31st day of December following. Said ordinance shall not be valid, unless before its passage it shall have indorsed thereon the certificate of the city auditor to the effect that there is money in the city treasury, or revenue in process of collection, or to arise from the sale of bonds or notes theretofore duly authorized, sufficient to meet the appropriation; and no debt shall be incurred or contract executed except upon the written order of the officer of such city duly authorized to incur such debt or to order the performance of such contract, and every such order shall be void unless it bear the certificate of the city auditor that there is money to the credit of the proper appropriation sufficient to meet the liability thereby incurred.

SECTION 2. Said ordinance shall, before it takes effect, be transmitted by the city clerk to the board of equalization and assessment for approval, amendment or rejection, as said board may determine.

SECTION 3. Said ordinance shall not be amended by the council except upon the first Monday in May, the first Monday in September, and the first Monday in December, and every amendment shall be made in the manner and form prescribed for the original passage of the ordinance.

SECTION 4. An act entitled "An act to require the city council in all cities of the second grade of the first class to make, by the first week of each fiscal half year, detailed and specific appropriations for the several objects for which the city has to provide," passed April 28, 1890, is hereby repealed.

SECTION 5. This act shall take effect and be in force from and after the first day of January, 1894.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate*

Passed April 6, 1893.  
226G

[House Bill No. 1754.]

## AN ACT

To amend an act entitled "An act to provide for the payment of one-half the taxes received from foreign insurance companies in counties containing a city of the second grade of the first class, to the police department fund, to the police pension fund, and to the fire department pension fund" passed March 22d, A. D. 1893.

[CUYAHOGA COUNTY AND CLEVELAND.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section one of an act entitled "An act to provide for the payment of one-half the taxes received from foreign insurance companies in counties containing a city of the second grade of the first class, to the police department fund, to the police pension fund and to the fire department pension fund," passed March 22d, A. D. 1893, be amended so as to read as follows:

Sec. 1. That the county treasurers of counties containing a city of the second grade of the first class shall semi-annually, at the time of their semi-annual settlement with the auditors of their respective counties, pay over to the treasurer of such city one-half of the amount under his annual levy of all the taxes paid into the treasury of such county by insurance companies incorporated by the authority of any other state or government and doing business in any such city, on the gross receipts of every such insurance company, under and by virtue of the provisions of section two thousand seven hundred and forty-five of the Revised Statutes, during the half year preceding such semi-annual settlement, and the money so paid over to such city treasurer shall be credited as follows: For the year eighteen hundred and ninety-three the whole thereof to the police department fund; thereafter, the whole thereof to the police pension fund until such time as said fund shall have to its credit the full sum of one hundred thousand dollars; thereafter, two-thirds of said one-half to the police pension fund and the remaining one-third thereof to the firemen's pension fund of such cities; and the moneys shall be controlled, administered and disbursed in accordance with the provisions of the Revised Statutes of Ohio, governing the mode and manner of distributing the same.

SECTION 2. That said original section one of said act be and the same is hereby repealed.

SECTION 3. That this act shall take effect on its passage.

ELVERTON J. CLAPP,

*Speaker pro tem. of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 7, 1893.

237G

[House Bill No. 1582.]

## AN ACT

To provide a license on, and to regulate certain business in cities of the second grade of the first class.

[CLEVELAND.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in cities of the second grade of the first class no person or

persons, firm or corporation, shall engage in the business of keeping, maintaining, or conducting any livery, sale or boarding stable without a license therefor, to be obtained as hereinafter set forth.

SECTION 2. Every person or persons being engaged or desiring to engage in such business within the limits of such city, shall make application to the health officer of such city for a certificate for that purpose, and shall furnish to said health officer a written statement containing a description of the land or lot upon which the building or buildings in which such business is now or is to be conducted is situated; also, a description of such building or buildings and the number of horses and animals of any kind which are now or are to be kept in such building or buildings, and also the character of such business; and in case the health officer is satisfied that the public health will not be affected or endangered by the carrying on of such business in the manner and under the conditions existing or proposed, and that such applicant has complied and intends to comply with the laws of the state and the ordinances of the city in reference to such business, it shall be his duty to give the certificate asked for; provided, however, that if such applicant desires to carry on such business in a part of such city which is wholly or principally devoted to residences and buildings of the dwelling-house class occupied as homes, and in a building or buildings situated upon premises not at the time of such application used in such business, it shall be unlawful to grant such certificate unless such applicant shall secure the written consent thereto of any and all owners and lessees of residences or dwelling-houses within a distance of three hundred feet from the premises upon which said business is to be carried on, and shall satisfy the board that such written consent has been secured.

SECTION 3. Such applicant shall present such certificate to the city clerk, who shall issue a license in accordance therewith upon payment of the fee hereinafter provided.

SECTION 4. It shall be the duty of the health officer to revoke such license if the licensee shall at any time fail to comply with the provisions of this act, or any other law of the state, or the ordinances of said city, or if such business shall be so conducted as to affect or be prejudicial to public health; such revocation shall be by written notice served upon the licensee or the person in charge of the business or premises, and from the time of such service all authority under said license shall be terminated.

SECTION 5. Such license shall be and remain in force for the period of one year from its date, and may be renewed from year to year by presenting the same to said city clerk, and the payment of the fee hereinafter provided; and such clerk, upon such presentation and payment, shall indorse such renewal upon said license, but failure to secure such renewal within one year from the date of such license or the date of any previous renewal shall operate as a revocation of said license.

SECTION 6. For the granting of a license and for each renewal of the same the fee shall be one dollar, which shall be paid to the city clerk and shall be credited to the sanitary fund.

SECTION 7. The health officer shall be permitted free entrance, at all hours of the day and night, to all buildings used and occupied in such business.

SECTION 8. Any person who shall violate the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than one thousand (\$1,000.00)



dollars, nor less than fifty (\$50.00) dollars, or by imprisonment for not more than six months, or both; and for each and every day that such person shall carry on such business without a license he or she shall be fined one thousand (\$1,000.00) dollars.

SECTION 9. It shall be the duty of all police and other officers clothed with police powers to enforce the provisions of this act.

SECTION 10. All acts and parts of acts, ordinances and parts of ordinances conflicting with any of the provisions of this act are hereby repealed, so far as they relate to cities of the second grade of the first class.

SECTION 11. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 18, 1893.  
287G

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[Senate Bill No. 520.]

### AN ACT

To provide for indexing and preserving the findings of coroners in counties containing a city of the second grade of the first class.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in all counties having a city of the second grade of the first class, it shall be the duty of the clerk of the court of common pleas to cause a suitable index to be made of all the coroner's inquests and findings in his custody, and to number the same in chronological order, giving the name of the deceased, date of death, locality where deceased was found, property found upon the deceased and disposition thereof, and the cause of death, as found by the coroner. Said clerk shall also inclose said findings and papers in each case in suitable wrappers, and shall number the same to correspond with said index, and shall deliver said index and papers to the coroner of his county to be preserved in the office of said coroner; and for his services herein said clerk shall be entitled to such compensation as is allowed by law for like services, to be paid on the order of the commissioners of his county.

SECTION 2. It shall be the duty of the coroner's clerk in such counties to keep such an index of all inquests held by the coroner as is required in section 1 hereof, and to file away the testimony of the witnesses, the finding of the coroner, with the other papers in each case, and to return to the clerk of the [court of] common pleas only such recognizances as the coroner may require witnesses to enter into for their appearance to give testimony at the succeeding term of court.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,  
*Speaker pro tem. of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 20, 1893.  
304G

[House Bill No. 1585.]

## AN ACT

To amend section 17 of an act entitled "An act to create a depository commission in all cities of the second grade of the first class, and to establish a depository for the funds of such cities, and for other purposes," passed April 11, 1888 (85 O. L., 197).

[CLEVELAND.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 17 of an act entitled "An act to create a depository commission in all cities of the second grade of the first class, and to establish a depository for the funds of such cities, and for other purposes," passed April 11, 1888, be and the same is hereby amended so as to read as follows:

Sec. 17. The city auditor shall issue his warrants subject to the provisions of sections fourteen and sixteen of this act, and subject to such regulations as the council may prescribe.

SECTION 2. That said original section 17 be and the same is hereby repealed, and this act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 20, 1893.

318G

[House Bill No. 1812.]

## AN ACT

To supplement an act entitled "An act to provide for the improvement of state and county roads in counties containing a city of the second grade of the first class," passed March 31, 1892.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the act entitled "An act to provide for the improvement of state and county roads in counties containing a city of the second grade of the first class," passed March 31, 1892, be supplemented with sectional numbering as follows:

Sec. 2a. The commissioners of such county may purchase any turnpike or plank toll-road, or any part thereof, lying within such county, at a price that may be agreed upon by them and the owners of such turnpike or plank road; and in case they are unable to agree with the owners thereof, upon such purchase and sale, they may appropriate the same; and for this purpose they shall cause an accurate survey and profile of such turnpike or plank road to be made, and shall file the same with the probate judge or court of common pleas of the county, and thereupon the same proceedings shall be had as are now provided by law for the appropriation of private property by municipal corporations; and upon payment of the agreed price, or, payment into court of the compensation assessed, the right to charge or collect toll shall thereupon cease,

and the commissioners shall use the fund created by section one (1) of said act for that purpose.

Sec. 26. When the commissioners make an appropriation of any turnpike or plank road as specified in the last preceding section, and fail to pay for the same within three months after the assessment of compensation shall have been made, as in said section provided, the right of the commissioners to make such appropriation on the terms of the assessment so made, shall cease and determine; and the turnpike or plank road so appropriated shall be relieved from all incumbrance on account of the proceedings in such case, and the judgment or order of the court, directing such award or assessment to be paid, shall cease to be of any effect, except as to the costs assessed against the commissioners.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 22, 1893.  
348G

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[House Bill No. 1813.]

### AN ACT

To authorize any village which had at the last federal census, or which may have at any future federal census, a population of not more than 1,045 nor less than 1,040 to establish water-works.

[BEDFORD.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the council of any village which had at the last federal census, or which may have at any future federal census, a population of not more than 1,045 nor less than 1,040 be and they are hereby authorized to issue the bonds or notes of said village in an aggregate sum not exceeding seven hundred and fifty dollars (\$750.00), bearing interest at a rate not exceeding six (6) per cent. per annum from their date, such interest payable annually, for the purpose of providing in such village a system of public water-works and fire protection.

SECTION 2. Said bonds or notes shall be signed by the mayor of said village and countersigned by the clerk thereof, and shall not be sold for less than their par value, and shall be issued at such times and in such amounts, and mature at such dates respectively as said council shall determine by ordinance, and such village council is hereby authorized to levy a tax upon all the taxable property of such village to pay such bonds and the interest thereon when the same becomes due.

SECTION 3. The funds realized from the sale of said bonds or notes shall be used by the council of said village for the purpose of purchasing the necessary lands therefor, the necessary machinery, and constructing, paying for, and maintaining a system of water-works and fire protection in said village, and when completed shall be used, operated and controlled in such manner as may be prescribed by law and ordinances of said village enacted in conformity therewith.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 22, 1893.  
349G

[House Bill No. 1869.]

### AN ACT

To authorize certain village school districts, through their board of education, to increase their tax levy for school purposes.

[BEDFORD.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the school board of any village school district in any village, which by the last federal census had and which by any subsequent federal census may have, a population of not less than 1,040 nor more than 1,044, be and they are hereby authorized for the year 1893, to levy not to exceed three mills, and annually thereafter, for the term of three years, three mills per annum upon each dollar of taxable property in any such school district in addition to the levy now authorized by law, the same to be entered upon the tax duplicate and collected as other taxes. The money so raised by such levy and collection, as aforesaid, is to be known as the "contingent fund" of said school district.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 25, 1893.  
399G

[Senate Bill No. 249.]

### AN ACT

To amend an act passed April 23, 1891, relating to the appointment of an inspector of stationary steam boilers, in cities of the second grade, first class, (Ohio Laws, volume 88, pages 379-380), is amended so as to read as follows:

[CLEVELAND.]

SECTION 1. Provided, that any owner or operator of a steam boiler or boilers holding a certificate of inspection in force, of any company organized for the purpose of making guaranteed steam boiler inspections, which has filed a statement of its financial condition and paid license fees and taxes as required by the insurance laws of this state, shall be exempt from any further inspection.

SECTION 2. The owner or operator shall continuously maintain in a conspicuous place near the boilers, a certificate showing the date of last inspection and by whom made, such certificate to be made by the party inspecting the boiler or boilers.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 25, 1893.  
405G

[House Bill No. 1700.]

### AN ACT

To authorize the commissioners of any county containing a city of the first class, second grade, to borrow money and issue bonds therefor, for the purpose of building and furnishing a central armory in any such city for the use of the Ohio national guard, and procuring a site therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of any county containing a city of the first class, second grade, be and they are hereby authorized and empowered to build and furnish an armory in any such city for the use of the Ohio national guard, to procure a site for the same and to borrow money to pay for the same, not to exceed the sum of two hundred and twenty-five thousand dollars (\$225,000).

SECTION 2. That to secure the payment of the amount so borrowed, with interest, the said commissioners are authorized to issue the notes or bonds of said county, payable, if bonds are issued, in twenty-five years and redeemable after ten years from date; said bonds shall be denominated "central armory bonds," and shall be for the sum of one thousand dollars each, payable to bearer, and bear interest at a rate not exceeding five per centum, payable semi-annually; said notes or bonds shall be signed by the president of the board of county commissioners, and countersigned by the auditor of said county, and the sale of said bonds shall be governed by the provisions of an act entitled "An act providing for the sale of public bonds," passed March 22, 1883.

SECTION 3. To pay the interest on said notes or bonds and to create a sinking fund sufficient to redeem the same at maturity, the commissioners of said county are hereby authorized to levy a tax, in addition to any tax now authorized by law, not to exceed three-tenths of a mill on the dollar valuation, on the general tax duplicate of said county.

SECTION 4. That if, on the completion of said armory, there is any unexpended balance of said fund, it shall be placed and kept to the credit of the sinking fund provided for by this act.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 27, 1893.  
471G

## DARKE COUNTY.

[House Bill No. 1127.]

## AN ACT

To authorize the council of the village of Arcanum, Ohio, to issue bonds for purposes therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village of Arcanum, Darke county, Ohio, are hereby authorized to issue the bonds for said village of Arcanum, Ohio, in a sum not to exceed one thousand dollars, payable at any time that the council may direct not exceeding twenty years, the same to bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, for the purpose of paying off a floating debt, and repairing fire engine in said village. Said bonds shall be issued in such amounts respectively as said council may direct, and shall not be sold for less than their par value. Said bonds shall be signed by the mayor and attested by the clerk of said village of Arcanum, Ohio.

SECTION 2. Whenever the bonds of said village shall be issued as provided by this act, it shall be the duty of said council, and said council are hereby authorized to levy on all the taxable property of said village, to be collected the same as other taxes in said village, not exceeding one mill, for any time said council may deem necessary.

SECTION 3. This act shall take effect from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed January 31, 1893.  
36G

[House Bill No. 1203.]

## AN ACT

To authorize the trustees of Greenville township, Darke county, to transfer certain funds therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Greenville township, Darke county, Ohio, be and they are hereby authorized and empowered to make the following transfer of the fund of said township, viz.: From bond fund to the township fund, six hundred and sixty-one dollars and sixteen cents (\$661.16)

SECTION 2. This act shall be in force from and after its passage.

ELVERTON J. CLAPP,  
*Speaker pro tem. of the House of Representatives*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senat*

Passed February 17, 1893.  
72L

[Senate Bill No. 467.]

## AN ACT

To divide Wayne township, Darke county, Ohio, into two voting precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That Wayne township, Darke county, Ohio, shall be divided into two voting precincts, as follows, to wit: Commencing at the north line of said township, at the northeast corner of the northwest quarter of section six, township ten, range four east; thence south on the half section line through sections six, seven and eighteen, at the corporation line of the village of Versailles; thence south with the center of main cross street to the corporation line at the south side of said village of Versailles; thence east sixty-six feet to the half section line in section nineteen; thence south on the half section line through sections nineteen, thirty and thirty-one, at the south line of said Wayne township.

SECTION 2. The east half of said township as hereby divided shall be known as the east precinct of Wayne township. The west half of said township as hereby divided shall be known as the west precinct of Wayne township.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 28, 1893.  
211L

[House Bill No. 1716.]

## AN ACT

To authorize the council of the city of Greenville to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the city of Greenville, Darke county, Ohio, be and they are hereby authorized to transfer the sum of fifteen hundred dollars from the bridge fund to the general fund of the corporation.

SECTION 2. This act shall take effect from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 6, 1893.  
256L

[Senate Bill No. 580.]

## AN ACT

To quiet and confirm title to certain real estate situated in Darke county, Ohio, to and in the board of trustees of Wabash township and in their successors in office for cemetery purpose.

WHEREAS, The board of trustees of Wabash township, in Darke county, Ohio, did, more than twenty-one years since, by purchase and conveyance made and delivered to them, and by donation and dedication received and accepted certain real estate, situate in the county of Darke, and state of Ohio, for cemetery purpose only; and,

WHEREAS, The trustees of said township have expended large sums of money in improving and fencing said lands; and,

WHEREAS, Said lands have been for many years and are now used for public cemetery purpose and burial of the dead; and,

WHEREAS, The records of said township do not show that the trustees of said township proceeded in the matter under the provisions of section 1465 of the Revised Statutes, as made and provided; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of trustees of Wabash township, Darke county, Ohio, and their successors in office, shall have and hold the following described real estate, situate in the county of Darke, and state of Ohio, for cemetery purpose only, to wit: Part of the southeast quarter of section 10, town 12, range 3 east, beginning 13 chains and 25 links west of the southeast corner of said section, thence west 9 rods, thence north 9 rods, thence east 9 rods, thence south 9 rods to the place of beginning, containing one-half acre of land, more or less. Also, part of the east half of the northeast quarter of section 12, town 14, range 2 east, beginning at a point 10 rods west of the east line of said land, and at the northwest corner of the lot conveyed by deed of J. D. Holsapple to the church of Christ, thence west 5 rods, thence south 7 rods, thence east 5 rods, thence north 7 rods to the place of beginning. Also, part of the east half of the northeast quarter of section 12, town 14, range 2 east, beginning at the half section line 17 chains and 22 links south of the half section corner on the north line of said section at the southeast corner of the above described lot, thence west 243 feet, thence south 368 feet, thence east 243 feet, thence north 368 feet, with a section line to the place of beginning. Also, part of the southeast quarter of section 13, town 14, range 2 east, beginning 10 rods east of the southwest corner of the land owned by James Fields, at a point 60 rods south of the northwest corner of said quarter section, thence east 12 rods, thence south 14 rods, thence west 12 rods, thence north 14 rods to the place of beginning, containing one acre more or less. Also, part of the southeast quarter of section 13, town 14, range 2 east, beginning at the southeast corner of a lot of land heretofore conveyed by deed of James Shook and others to the trustees of Wabash township, as appears of record, thence south 48 feet, thence west 32 feet, thence north 84 feet, thence east 32 feet to the place of beginning, containing in all of said above described tracts about 4 acres of land.



SECTION 2. This act shall be in force and effect on and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 21, 1898.  
330L

[House Bill No. 1210.]

### AN ACT

To amend section four of an act entitled "An act to authorize certain cities herein designated to issue bonds for the purpose of making public improvements," passed April 22, A. D. 1890 (87 O. L.).

[GREENVILLE.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section four of an act entitled "An act to authorize certain cities herein designated to issue bonds for the purpose of making public improvements," passed April 22, A. D. 1890 (87 O. L., 250), be amended so as to read as follows:

Sec. 4. When the council of any such city referred to in section one of this act, shall desire to issue said bonds, a written statement of said desire from said council shall be presented to the probate judge of the county in which such city is situated, who shall appoint a "board of control" for said city, which shall consist of four electors of said city, being freeholders therein, not more than two of whom shall belong to the same political party. Said "board of control" shall serve without compensation and for such time as may be necessary to dispose of the proceeds of the sale of said bonds and completing the improvements mentioned in section two of this act. All vacancies in said board shall be filled by appointment by said probate judge. The said city council shall not call said election nor issue and sell said bonds until said board of control shall consent to the same. And no expenditure of the money arising from the sale of said bonds shall be made, or any contract be entered into for any of the improvements mentioned in this act, by said city council, except with the consent and approval of said board of control. Provided that if the money arising from the sale of said bonds or any part of them, shall be used for the purpose of establishing and constructing water-works for the use of any such city, a board of water-works trustees need not be provided therefor, until the council shall deem it proper and necessary.

SECTION 2. Said original section four of the act referred to in the preceding section is hereby repealed.

SECTION 3. This act shall be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed February 9, 1893.  
50G

[Senate Bill No. 567.]

## AN ACT

To authorize the council of certain cities to appoint water-works trustees.

[GREENVILLE.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That any city of the fourth grade of the second class which by the federal census of 1890 had a population of not less than 5 470 nor more than 5,475, or which by any subsequent federal census may have such population, in which water-works are situate or in progress of construction, be and the same is hereby authorized and empowered to establish a board of trustees of the water works, composed of four members, citizens and electors of any such city, no more than two of whom shall belong to the same political party, and said board shall be appointed by the council of such city.

SECTION 2. The term of office of the members of such board shall be four years from the date of appointment, except that those first appointed shall be classified as follows: One to serve four years, one for three years, one for two years and one for one year, and thereafter one shall be appointed annually.

SECTION 3. That said board of trustees shall have the same powers, perform the same duties and be governed by the same regulations provided in chapter one, division eight, and title XII of the Revised Statutes of Ohio.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed April 22, 1893.

355G

## DEFIANCE COUNTY.

[House Bill No. 1424.]

## AN ACT

To authorize the council and board of water-works trustees of the incorporated village of Hicksville, or either of them, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council and board of water-works trustees of the incorporated village of Hicksville, Defiance county, Ohio, or either of them, be and they hereby are authorized to transfer the following funds: From the water-works extension fund, the sum of fourteen hundred dollars (\$1,400) and from the fire fund, five hundred dollars (\$500) all to the water-works or water-works maintenance fund.

SECTION 2. This act shall be in full force and effect from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
 ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed March 1, 1893.  
 95L

[ House Bill No. 1383.]

### AN ACT

To authorize the board of county commissioners of Defiance county to construct bridges and to issue and sell the bonds of said county for such purpose.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of county commissioners of Defiance county, Ohio, be and said board is hereby authorized and empowered to construct a bridge across the Auglaize river at or about the point where Francis street in the city of Defiance, in said county, would cross said river if extended southerly, without deflection, a sufficient distance to cross the same, also a bridge across the Maumee river in said county at or about the point where the section line between sections thirty-one and thirty-two, in the township of Delaware in said county, crosses said river.

SECTION 2. For the purpose of raising whatever moneys may be necessary for the construction of said bridges or either thereof, over and above the amount in the bridge fund of said county and applicable for such purpose, at the time said board of commissioners shall determine to contract for the construction of said bridges or either thereof, said commissioners are hereby authorized to issue and sell the bonds of said county, not exceeding in the aggregate the sum of eighteen thousand (\$18,000.00) dollars at not less than their par value, of such denominations and maturing at such times, not exceeding ten (10) years from date as said commissioners may order, bearing interest at not to exceed six per cent. per annum, payable semi-annually.

SECTION 3. For the purpose of providing for the payment of any bonds which may be issued and sold under the provisions of this act and for the payment of the interest on such bonds as the same shall accrue, the said board of commissioners may levy a sufficient tax upon all the taxable property on the tax duplicates of said county, provided nothing herein contained shall be construed as authorizing said commissioners to levy a higher rate of taxation than is now authorized by law for such purposes, and in the exercise of their powers and the performance of their duties under the provisions of this act the said board of county commissioners shall be governed by the general statutes upon such subject except in so far as their powers and duties are specially prescribed herein.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
 ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 2, 1893.  
 101L

[ House Bill No. 1885. ]

## AN ACT

To authorize the township trustees of Defiance township, in Defiance county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township trustees of the township of Defiance, in Defiance county, Ohio, be and said trustees are hereby authorized and empowered to transfer the sum of twelve hundred dollars (\$1,200) from the township fund to the road fund of said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 14, 1893.  
121L

[ House Bill No. 1890. ]

## AN ACT

To authorize the board of education of the township of Defiance, in Defiance county, to borrow money and issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the township of Defiance, in Defiance county, Ohio, be and said board of education is authorized to issue and sell the bonds of said township in any sum not exceeding one thousand dollars in such denominations, running for such length of time and at such rate of interest, not exceeding seven per cent., as said board may see fit.

SECTION 2. The money arising from the sale of such bonds shall be used by said board of education in building, finishing or furnishing any school-house in any subdistrict or joint subdistrict, wholly or partially in said township.

SECTION 3. For the purpose of providing for the payment of such bonds, as the same may mature and for the interest thereon as it shall accrue, the said board of education may levy such rate of tax upon the property of said township, taxable for school purposes therein, as may be necessary and, in all things not otherwise provided herein, the said board of education shall be governed by the general statutes in such cases provided.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 27, 1893.  
409L

[House Bill No. 1476.]

## AN ACT

To authorize certain cities to issue and sell bonds for sewer purposes.

[DEFIANCE.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of any city having at the last federal census a population of not less than 7,690 nor more than 7,700 or which may at any subsequent federal census contain such population, be and the city council of any such city hereby is authorized to issue and sell the bonds of such city in any sum not exceeding six thousand dollars (\$6,000); in such denominations as the city council may determine, bearing interest at not to exceed six per cent. per annum, payable semi-annually; such bonds shall be payable at such times within ten years from date of issue as the council may fix and determine and shall not be sold for less than their par value.

SECTION 2. The proceeds arising from the sale of any bonds issued and sold under the provisions of this act shall be used and expended in constructing a sewer or sewers in the city so issuing and selling the same.

SECTION 3. For the purpose of providing for the redemption of any such bonds so issued and sold and for the interest which may accrue thereon, the city council may levy a sufficient rate of taxation annually upon all the taxable property within such city in addition to the taxes now authorized by law.

SECTION 4. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,

*Speaker pro tem. of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed March 30, 1893.

198G

## DELAWARE COUNTY.

[House Bill No. 1056.]

## AN ACT

To authorize the village council of the incorporated village of Ashley, Delaware county, to issue bonds for the purpose of street improvement.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village council of the incorporated village of Ashley, Delaware county, be and the same is hereby authorized to issue the bonds of said village in the sum not exceeding ten thousand dollars, bearing interest at a rate not exceeding six per cent. per annum from date of issue, payable annually, for the purpose of improving High street in said village.

SECTION 2. Said bonds shall be signed by the mayor of said village and countersigned by the clerk thereof; and said bonds shall not be sold

for less than their par value, and shall be issued in such amounts respectively as will, in the judgment of the council of said village best subserve the sale thereof, and at such times and in such amounts as may be deemed necessary by said council for the proper progress of the work; the principal shall be payable at such times as the council of said village may determine by ordinance, within a period not exceeding twenty years.

SECTION 3. Said council is hereby authorized to levy a sufficient tax, in addition to taxes now authorized by law, upon the taxable property of said village to meet any indebtedness incurred under this act.

SECTION 4. The council of said village is hereby authorized and empowered to proceed at once to contract for said improvement, and it shall not be necessary that the money to pay for the same should be in the treasury of said village, nor that the clerk of said village should so certify, before said contract is entered into.

SECTION 5. If the bonds of said village be issued as hereinbefore provided, it shall be the duty of the council of said village, and said council is hereby authorized and required, annually thereafter, until the same and the interest thereon shall be paid, to levy a tax on all the taxable property of said village, sufficient to provide for the payment of said bonds and the interest thereon as the same may become due and payable.

SECTION 6. No more of said bonds shall be issued than shall be necessary to procure sufficient money to pay said expenses of said improvement.

SECTION 7. This act shall take effect and be in force on and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed January 19, 1893.

15L

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[House Bill No. 1841.]

### AN ACT

To authorize the board of trustees of Troy township, Delaware county, Ohio, to provide for a deficiency in the funds of said township trustees.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of trustees of Troy township, Delaware county, Ohio, for the purpose of meeting and providing for a deficiency in the funds of said township funds, be and it is hereby authorized to issue the bonds of said township not to exceed (\$1,000) one thousand dollars; said bonds shall bear interest not to exceed six per cent. per annum, payable semi-annually, and shall be of such denomination and become due at such times not exceeding ten years from date as said board may determine, and shall not be sold for less than their par value, and as provided by law. The proceeds arising from the sale of said bonds, shall be apportioned to the funds of said board of trustees, as may be determined by said board.

SECTION 2. The board of trustees of said Troy township, is hereby authorized to levy a tax annually in addition to the taxes now authorized

by law on all the taxable property of said township, sufficient to pay principal and interest on said bonds as the same become due.

SECTION 3. Nothing contained in this act shall be so construed as to release the treasurer of said board of trustees of Troy township, Delaware county, Ohio, or his sureties from any liabilities on his official bond.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 24, 1893.  
355L

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[House Bill No. 1840.]

### AN ACT

To authorize the board of education of Troy township, Delaware county, Ohio, to provide for a deficiency in the funds of said school board.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of Troy township, Delaware county, Ohio, for the purpose of meeting and providing for deficiency in the funds of said school board be and it is hereby authorized to issue the bonds of said township, not to exceed two thousand dollars (\$2,000); said bonds shall bear interest not to exceed six per cent. per annum, payable semi-annually, and shall be of such denominations and become due at such times, not exceeding ten years from date, as said board may determine, and shall not be sold for less than their par value, and as provided by law. The proceeds arising from the sale of said bonds shall be apportioned to the funds of said board of education, as may be determined by said board.

SECTION 2. The board of education of said Troy township is hereby authorized to levy a tax annually in addition to the taxes now authorized by law on all the taxable property of said school district sufficient to pay principal and interest on said bonds, as the same become due.

SECTION 3. Nothing contained in this act shall be so construed as to release the treasurer of said board of education of Troy township, Delaware county, Ohio, or his sureties from any liabilities on his official bond.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 24, 1893.  
365L

## ERIE COUNTY.

[House Bill No. 1571.]

## AN ACT

To authorize the trustees of Milan township, Erie county, Ohio, to issue bonds and levy a tax for a normal school, to be known as the Milan township normal school.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of township trustees of Milan township, Erie county, Ohio, be and they are hereby authorized to issue the bonds of the said township in the sum of twenty-five thousand dollars for the purpose of raising money to repair the grounds and buildings of the Huron institute located in said township and to erect new buildings thereon, if it shall be deemed advisable, and to purchase other land and erect new buildings thereon, all as hereinafter provided for.

SECTION 2. Said bonds shall be signed by said board of township trustees and countersigned by the clerk of said township, and shall be of such denominations as shall hereinafter be determined by said board of trustees. Said bonds to bear interest at five per cent. per annum, payable semi-annually, at such place and dates as said board may determine. Said bonds shall not be sold at less than their par value. The principal of said bonds shall be payable in such instalments at such place and times as said board may determine, not exceeding twenty-five years from the date thereof, and for the payment of the principal of said bonds and the interest thereon as the same shall severally become due, the said board of trustees is hereby authorized to levy a tax annually on all the taxable property of said township of Milan, not exceeding five (5) mills on the dollar in any one year, in addition to the rate now allowed by law.

SECTION 3. Before any of the bonds hereinbefore provided for shall be issued, there shall be submitted to the qualified electors of said township of Milan at the annual election to be held in said township on the first Monday in April, A. D. 1893, the proposition to issue said bonds and to levy said tax, ten days' notice whereof shall be given by posting printed notices thereof in at least ten of the most public places in said township and also in the local papers. The form of the ballot of said election on said proposition shall be as follows: "For issue of school bonds—Yes," "For issue of school bonds—No;" and if two-thirds of the qualified electors of said township voting on said proposition shall be in favor thereof, then said board of trustees shall be authorized to issue the same, only upon the conditions, restrictions, and limitations hereinafter contained.

SECTION 4. If two-thirds of such electors, as provided in section 3 of this act, shall be in favor of said proposition, the said board of trustees, before issuing any of said bonds, shall at once proceed to call a special election, by giving legal notice thereof for the election of six trustees, electors of such township, who shall be known as the "board of trustees of the Milan normal school," two to hold office one year, two to hold office two years, and two to hold office for three years; and thereafter at such April elections for township officers, there shall be elected by the electors of said township, two trustees for said board of trustees of the Milan normal school, to hold the office of trustee three years, to fill the vacancies which will annually arise in said board of trustees of the Milan



normal school by the operation of this act. Said board of trustees so elected, and all members thereto elected subsequently, shall qualify and organize as provided by the common school law of the state of Ohio, and all officers of trust in said board shall give bonds to the acceptance of the trustees of the township and in such amounts as they may designate. Any vacancy arising in said normal board of trustees other than by expiration of terms of office shall be filled by said board until the next annual April township election thereafter, when such vacancy shall be filled as hereinbefore provided by election. After said board of trustees of the Milan normal school shall have been elected, and qualified according to law, and before any part of said bonds shall be issued by the board of trustees of said Milan township, the board of trustees of the Huron institute are hereby authorized to convey to the said trustees of the Milan township normal school, all and singular the lands, buildings and properties of every kind belonging to said the Huron institute, to be held in trust by the trustees of the Milan township normal school as aforesaid, for the creation, support and maintenance, at Milan, Erie county, Ohio, of an educational institution for higher education of all persons of either sex, to be conducted under such name, rules, and regulations as said board of trustees of the Milan township normal school may provide, subject, nevertheless to the limitation, that any pupil who is a resident of and has graduated from the common schools of said township be entitled to attend the literary department of said educational institution, for any period not exceeding two years, without charge for tuition thereon.

SECTION 5. Whenever the trustees of said the Huron institute shall have conveyed to said the board of trustees of the Milan township normal school the lands, buildings and properties of the Huron institute as aforesaid, the said trustees of the said township of Milan are hereby authorized to proceed to sell said bonds as hereinbefore provided, when needed to carry out the provisions of this act, and pay over the proceeds thereof to the said trustees of the Milan normal school, to be received, held and expended by them in trust, for the use and benefit of the citizens of said Milan township in the improvement and repair of the grounds and buildings of the said the Huron institute, after said grounds and buildings shall have been conveyed as aforesaid by the trustees of the said the Huron institute, and for the purchasing of real estate and erecting new buildings thereon, for said educational institution as in the judgment of the said board of trustees of the said Milan township normal school, shall best subserve the interests of the citizens of Milan, Ohio.

SECTION 6. This act shall be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed March 17, 1893.

146L

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[House Bill No. 1734.]

## AN ACT

To authorize the trustees of Huron township, Erie county, to transfer certain funds,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Huron township, Erie county, are, hereby

authorized to transfer six hundred and forty-five dollars and seventeen cents (\$645.17) from the general fund; sixty-one dollars and fifty-three cents (\$61.53) from the special ditch fund, and the sum of five dollars and fifty cents from the cemetery fund to that of the road fund of the said Huron township.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed April 11, 1893.  
272L

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## FAIRFIELD COUNTY.

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[House Bill No. 533.]

### AN ACT

To detach certain lands lying and being within the corporate limits of the city of Lancaster, in Lancaster township, Fairfield county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following tract of land, situated in the west half of section 31, township 15 and range 18, in Fairfield county, Ohio, and bounded as follows: Beginning at the center of said section 31, thence west 30 chains along the north line of the city of Lancaster to the center of the Foglesong road; thence south  $15\frac{1}{2}$  degrees east, along the center of said road 12.50 chains to the center of the infirmary road; thence east along the center of said infirmary road 26.18 $\frac{1}{2}$  chains to the quarter line of said section 31; thence north along said line 12.19 chains to the place of beginning—containing about thirty-six acres of land, be and the same is hereby detached from the township and city of Lancaster and attached to the township of Pleasant, in said county of Fairfield, to which the same formerly belonged, and be made a part of said Pleasant township.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed March 27, 1893.  
207L

[House Bill No. 1735.]

## AN ACT

To amend section three of an act entitled "An act to incorporate the first Presbyterian church of Lancaster, in the county of Fairfield," passed February 4th, A. D. 1836.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section three of the above mentioned act be amended so as to read as follows:

Sec. 3. That there shall be elected by ballot, annually, on the third Monday of March, or as soon thereafter as practicable, three trustees who shall have the entire control and management of the property and financial concerns of the corporation; they shall have power to appoint a clerk and treasurer and to fill all vacancies that may happen in their own body until the next annual election thereafter, and make such written by-laws, rules and regulations as may be necessary for the prudent and efficient management of its pecuniary affairs and shall enter upon the duties of their office on the first day of April, after their election. There shall be an annual meeting held on the first Monday of April of each year, or so soon thereafter as practicable, for the hearing of reports and the settlement of the business of the previous year.

SECTION 2. The original section three of said entitled act is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 13, 1893.

286L

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FAYETTE COUNTY.

[Senate Bill No. 388.]

## AN ACT

To authorize the board of education of Marion township, Fayette county, Ohio, to make a levy to refund one hundred and ninety-seven dollars and seventy-six cents to A. C. Lindsay, with interest from April 1st, 1882.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of Marion township, Fayette county, Ohio, shall, at the next regular meeting of the said board of education, after the passage of this act, levy upon the taxable property of said Marion township, Fayette county, Ohio, not to exceed one mill on the dollar as and for a contingent fund, for the purpose of refunding to A. C. Lindsay, former treasurer of said township, the sum of one hundred and ninety-seven dollars and seventy-six cents, with interest thereon from April 1, 1882, which said sum was charged to said A. C. Lindsay, as treasurer, and

said sum paid over to his successor in office, by mistake, and has not been refunded to him; that said board of education shall certify said levy to the auditor of said Fayette county, Ohio, as required by law, and the clerk of said township shall draw an order upon the treasurer of said township in favor of said A. C. Lindsay for said sum of one hundred and ninety-seven dollars and seventy six cents, with interest from April 1, 1882, to be paid out of the contingent fund of said Marion township, Fayette county, Ohio.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed February 16, 1893.

64L

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[Senate Bill No. 508.]

### AN ACT

To authorize the commissioners of Fayette county, Ohio, to appropriate a sum not to exceed two hundred dollars to defray expenses [of] setting headstones furnished by the United States.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Fayette county, Ohio, be and are hereby authorized to appropriate a sum not to exceed two hundred dollars from any fund not otherwise appropriated in the county treasury of said county to be used for the purpose of defraying the necessary expenses of setting headstones furnished by the United States, for the unmarked graves of soldiers buried in Fayette county, Ohio. \*

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 6, 1893.

250L

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[Senate Bill No. 563.]

### AN ACT

To authorize the board of education of the village school district of Jeffersonville, Fayette county, Ohio, to issue bonds for the purpose of building a school-house and furnishing same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the village school district of Jeffersonville, Fayette county, Ohio, be and are hereby authorized to borrow money and issue bonds therefor not exceeding the sum of fourteen thou-

sand dollars (\$14,000), for the purpose of erecting, building, and furnishing a school-house in said village school district. Said bonds to be of such denomination as said board of education may deem proper, and shall run for a period not exceeding fifteen years, and to bear six per cent. interest per annum, payable semi-annually.

SECTION 2. Said board of education shall, annually thereafter, cause the necessary tax in addition to that authorized by law to be levied on the taxable property in said village district to pay said bonds as they become due, and the interest thereon.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate*

Passed April 19, 1893.  
320L

[House Bill No. 1776.]

### AN ACT

To abolish the offices of marshal, city commissioner and city solicitor of certain cities.

[WASHINGTON.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in all cities of the fourth grade of the second class that had at the last federal census a population of not less than 5,730 or more than 5,750, or which at any future federal census may have such a population, the offices of marshal, city solicitor and city commissioner be and the same are hereby abolished.

SECTION 2. The duties heretofore imposed upon the marshals of said cities shall be performed by the chief of police, who shall be appointed by the council of said cities for the term of one year, commencing on or before the last Tuesday of April.

SECTION 3. The said chief of police shall perform all the duties imposed upon such officers by the statutes of Ohio and the ordinances of said cities, and he shall receive such compensation for his services, in addition to the fees allowed by law as the council shall by ordinance determine, but such compensation shall not be increased or diminished during his term of office, and he shall give bond for the faithful performance of his duties in such amount as the council in such cities may require, and the council in such cities may remove the chief of police at any time for cause and choose his successor for the unexpired time for which he was chosen; and the council in such cities shall appoint all other necessary policemen for such time as the council may deem necessary, and any policeman in such city may be removed by the council for cause. The council shall by ordinance fix the compensation of all policemen and require them to enter into bond for the faithful performance of their duties and such policemen shall be authorized and required to perform such duties as are now imposed upon such officers in such cities by the laws of the state of Ohio and the ordinances of such cities.

SECTION 4. The duties heretofore imposed upon the city solicitor of said cities shall be performed by the corporation counsel who shall be chosen by the council of said cities for the term of one year, commencing on or before the last Tuesday of April. The said corporation counsel shall perform all the duties imposed upon the city solicitor of such cities by the statutes of Ohio and the ordinances of such cities, and he shall receive such compensation for his services as the council shall by ordinance determine, but such compensation shall not be increased or diminished during his term of office; and he shall give bond for the faithful performance of his duties in such amount as the council in such cities may require, and the council in such cities may remove the corporation counsel at any time for cause and choose his successor for the unexpired time for which he was chosen.

SECTION 5. The duties heretofore imposed upon the city commissioner of said cities shall be performed by the superintendent of streets who shall be chosen by the council of said cities for the term of one year commencing on or before the last Tuesday of April. The said superintendent of streets shall perform all the duties imposed upon the city commissioner of such cities by the statutes of Ohio and the ordinances of such cities, and he shall receive such compensation for his services as the council shall by ordinance determine, but such compensation shall not be increased or diminished during his term of office; and he shall give bond for the faithful performance of his duties in such amount as the council in such cities may require, and the council in such cities may remove the superintendent of streets at any time for cause and choose his successor for the unexpired time for which he was chosen.

SECTION 6. In the choosing of the officers of chief of police, corporation counsel and superintendent of streets and policemen in such cities, it shall require the votes of at least a majority of all the members elected to the council.

SECTION 7. All laws or parts of laws in so far as they are in conflict with the provisions of this act, shall be held not to apply to cities of the different grades and populations as enumerated in section one of this act.

SECTION 8. This act shall take effect and be in force from and after the 22 day of April, 1893.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 22, 1893.

347G

[House Bill No. 1876.]

## AN ACT

To authorize the council of certain cities to issue bonds in any sum not to exceed fifty thousand dollars (\$50,000), for the purpose of the general improvement and benefit of said city.

[WASHINGTON.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of any city which at the last federal census had,

or which at any subsequent federal census may have, a population of not less than fifty-seven hundred and forty (5,740), nor more than fifty-seven hundred and fifty (5,750), be and is hereby authorized and empowered to issue and sell the bonds of said city in any sum not exceeding fifty thousand dollars (\$50,000), for the purpose of general improvement and benefit of said city, the proceeds thereof to be expended as hereinafter provided; but no part of said sum shall be used or expended for the purpose of establishing or aiding manufacturing enterprises.

SECTION 2. Said bonds when issued and sold shall not bear interest at a higher rate than six per cent. per annum, interest to be payable semi-annually; said bonds to be of such denominations as the council shall determine and direct, not less than five hundred dollars (\$500) each, and all of said bonds shall be made payable at such time and places as said council may prescribe by ordinance, but not to run longer than twenty years from the date thereof; said bonds shall not be sold for less than par.

SECTION 3. Said bonds shall be signed by the mayor of the city and attested and registered by the city clerk, and shall express on their face that they are issued for the general improvement and benefit of the city. The proceeds of the sale of said bonds shall be deposited with the treasurer of the city and shall be disbursed under the direction of the city council. Said bonds may be sold from time to time in such amounts as the council may deem proper under the provisions in relation thereto as hereinafter provided.

SECTION 4. If any of the bonds are issued as herein provided, it shall be the duty of the council of the city to assess and levy a tax, and if necessary in addition to that now authorized by law, on all the taxable property of and in any such city, sufficient to provide for the payment of the principal and interest of said bonds as the same may become due and payable, and said tax shall be collected as other taxes of said city.

SECTION 5. Provided, however, and before said bonds can be issued and sold, the council of such city shall submit the question of issuing the bonds as aforesaid to the qualified electors of said city at any regular or special election called and held for that purpose, of which election at least twenty days' notice shall be given by publication in at least two newspapers of general circulation in said city, which notice shall contain the time and place of holding such election; if two-thirds of the votes cast upon the question of issuing said bonds be in favor of issuing the same, then and as hereinbefore provided, and not otherwise, shall the council of the city be authorized to issue the bonds. Those voting in favor of issuing the bonds shall have written or printed on their ballots the words: "Issuing bonds to improve the city—Yes;" and those voting against the issuing of the bonds the words: "Issuing bonds to improve the city—No."

SECTION 6. This act shall take effect and be in force on and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 25, 1893.  
401G

## FRANKLIN COUNTY.

[House Bill No. 1130.]

## AN ACT

To authorize the commissioners of Franklin county, Ohio, to issue bonds for the purpose of building and constructing approaches to the bridge across the Scioto river at Town street, in the city of Columbus, Ohio, and to complete the building and construction of the superstructure of said bridge.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of county commissioners of Franklin county be and they are hereby authorized to build and construct proper and necessary approaches to the bridge across the Scioto river on Town street, in the city of Columbus, county of Franklin, and in the exercise of their powers and the performance of their duties in that behalf they shall be governed by the general statutes on that subject, except in so far as their powers and duties are conferred and prescribed by this act.

SECTION 2. For the purpose of raising money to defray the expense of building and constructing said approaches to said bridge, and of providing means to complete the superstructure of said bridge, said commissioners are hereby authorized and empowered to issue and sell the bonds of said Franklin county according to law, in sums not less than one thousand dollars each, at a rate of interest not to exceed six per centum per annum, payable semi-annually, and not to exceed in the aggregate the sum of seventeen thousand dollars; and said commissioners are further authorized to levy a tax on all property on the tax duplicate of said county to pay said bonds as they mature and the interest thereon, for such length of time as may be necessary for that purpose.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed February 21, 1893.

76L

[House Bill No. 1163.]

## AN ACT

To authorize the commissioners of Franklin county, Ohio, to construct a bridge across Big Darby creek, in Pleasant township, on the Columbus and Harrisburg road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of commissioners of Franklin county, Ohio, be and they are hereby authorized and empowered to construct a bridge across Big Darby creek in Pleasant township of said county, on the line of what is known as the Columbus and Harrisburg road, formerly known as the Harrisburg pike, together with the proper and necessary grades



and approaches thereto, at a cost not to exceed the sum of twenty-five thousand dollars; and in the exercise of their powers and the performance of their duties in that behalf they shall be governed by the general statutes on that subject, except in so far as their powers and duties are prescribed by this act.

SECTION 2. For the purpose of raising money to defray the expense of constructing such bridge, with the proper and necessary grades and approaches thereto, the said commissioners are hereby authorized and empowered to issue and sell the bonds of said Franklin county according to law, in sums not less than one thousand dollars (\$1,000.00) each, at a rate of interest not to exceed six per centum per annum, payable semi-annually, and not to exceed in the aggregate the sum of twenty-five thousand dollars (\$25,000.00); and said commissioners are further authorized to levy a tax on all property on the tax duplicate of said county to pay said bonds as they mature, and the interest thereon, and at such rate and for such length of time as may be necessary for that purpose.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed February 23, 1893.

77L

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[House Bill No. 1382.]

### AN ACT

To amend an act entitled "An act to authorize the commissioners of Franklin county, Ohio, to grade and improve the road leading from Hilliard to the township and village cemetery in Norwich township in said county, passed April 13, 1892."

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Franklin county, Ohio, be and they are hereby authorized to grade and improve the road leading from the corporation line of the village of Hilliard to the township and village cemetery in Norwich township in said county.

SECTION 2. For the purpose of raising money to defray the expenses of grading and improving said road, said commissioners are hereby authorized and empowered to issue and sell the bonds of said Franklin county according to law, bearing interest at the rate of six per cent. per annum, payable semi-annually, and not to exceed in the aggregate the sum of fifteen thousand dollars; and said commissioners are further authorized and empowered to levy a tax on all the property on the tax duplicate of said county to pay said bonds as they mature and interest thereon, at such rate and for such length of time as may be necessary.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
 ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed March 1, 1893.  
 98L

[House Bill No. 7.]

## AN ACT

To provide a more efficient government for cities of the first grade of the second class.

[COLUMBUS.]

[LEGISLATIVE.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in cities of the first grade of the second class, the legislative power and authority shall be vested in a council, which shall consist of two members from each ward in such cities, to be elected by wards, who shall serve for a term of two years. Members of council in office shall, unless a vacancy sooner occurs, serve until the expiration of their respective terms; at each municipal election one member of the council shall be elected in each ward to serve two years; that not later than the first day of November next after the passage of this act the city council in cities of the first grade of the second class shall redistrict the wards in such cities; and all wards so to be established, shall be bounded as far as practicable by streets, alleys, avenues, public grounds, canals, water courses, corporation lines, center lines of platted streets or railroads, and be composed of adjacent and compact territory; and the several wards at the time of redistricting shall contain as near an equal number of inhabitants as may be practicable; and not later than November 1st, in every tenth year thereafter, the city council in said cities, shall, in like manner, redistrict said cities. If the city council in such cities fail to redistrict such cities by the said date then the city board of elections in such cities, shall, within two months after November 1, proceed to redistrict said cities as hereinbefore provided.

SECTION 2. Members of the council shall be residents of their respective wards, and in case any member shall remove from the ward for which he was elected his office shall thereby become vacant, and such vacancy shall be filled as provided by law.

SECTION 3. Every legislative act of the council shall be by ordinance, resolution or order. No ordinance, resolution or order involving an expenditure of money, or the approval of a contract for the payment of money, or for the purchase, sale, lease or transfer of property, or granting a franchise, or creating a right, or levying any tax, or imposing any fine, penalty or forfeiture, shall be passed until at least one week shall have elapsed after the same has been introduced and read in the council, and every such ordinance, resolution or order which shall have passed

the council, shall, before it takes effect be presented, duly certified by the clerk, to the mayor of the city for approval. The mayor, if he approves such ordinance, resolution or order, shall sign it, but if he does not approve it he shall return the same to the council with his objections within ten days thereafter, or if the council is not in session then at the next regular meeting thereafter, which objections the council shall cause to be entered in full on its journal, and if he does not return the same within the time above limited it shall take effect in the same manner as if he had signed it; provided, that the mayor may approve or disapprove the whole or any item or part of any ordinance, resolution or order appropriating money, and further provided, that any item or part disapproved shall have no bearing or connection with any other part of such ordinance, except that such ordinance, resolution or order before taking effect as to the item or parts not objected to by the mayor, shall be again passed by a majority vote of the council, whereupon the same as so changed shall take effect after due publication. When the mayor refuses to sign any such ordinance, resolution or order, or part thereof, and returns it to the council with his objections the council shall, after the expiration of not less than one week, proceed to reconsider it; and if the same is approved by the vote of two-thirds of all the members elected to the council it shall then take effect after due publication as if it had received the signature of the mayor; and in all such cases the vote shall be taken by yeas and nays and entered on the journal of the council.

**SECTION 4.** The publication of all resolutions, ordinances and proceedings of the city council of such cities of the first grade of the second class shall be made by the city clerk; and all advertisements for bids for work and labor and the publication of reports and such other work as may be connected with the several departments, shall be made by the heads of such departments. All resolutions and ordinances of a general nature, or providing for improvements, and all other advertisements required in such cities of the first grade of the second class shall be published at not to exceed legal rates as provided in section 4366 Revised Statutes, in three daily newspapers of general circulation in such cities and one of which shall be printed in the German language. Contracts for such publishing shall be let to the lowest responsible bidders and no contract shall be awarded under this section for a period longer than one year; provided, that when the estimated cost of any improvement is less than \$500.00 it shall not be necessary to publish any ordinance providing for the same.

**SECTION 5.** The council shall by ordinance establish and maintain a police force, to consist of a superintendent and such subordinate officers and patrolmen as it shall from time to time deem necessary, and fix their compensation.

**SECTION 6.** The council shall by ordinance establish and maintain a fire force, to consist of a chief of such force, and such subordinate officers and members as it shall from time to time deem necessary, and fix their compensation.

**SECTION 7.** The council shall provide for the appointment in accordance with the provisions of this act, of a health officer, who shall be a physician, and such other physicians and subordinate officers as may be necessary to secure the inhabitants of such cities from the evils of contagious, malignant and infectious diseases, and shall prescribe their duties and fix their compensation. The health officer or his subordinates shall also render the necessary medical service in the police department and

poor department, and the offices of police surgeon and city poor director are hereby abolished.

SECTION 8. The council shall have power to provide by ordinance for the appointment of such officers as may be necessary for the enforcement of all provisions of law or ordinance relating to markets, city scales, sealing of weights and measures, consumption of smoke and the examination of stationary engineers and such other officers in the several departments hereby created as it may deem necessary for the good government of the corporation and the full exercise of its corporate powers, and prescribe their duties and fix their compensation.

SECTION 9. The council shall, annually, at the time of its organization, elect a president and vice-president from its own body, and may elect a sergeant-at-arms and a page, who shall perform such duties belonging to their respective offices as may be prescribed by ordinance and the rules of the council not inconsistent with law. The council shall elect a city clerk, who shall appoint his assistants, subject to the confirmation of the council. Except as herein provided the council shall exercise no power of election or appointment to any office, but the council shall have the power by a three-fourths vote of all the members elected to remove the heads of the departments hereinafter provided for in this act.

SECTION 10. The council, or any committee thereof authorized by it so to do, shall have power to compel the attendance of witnesses and the production of books, papers and other evidence, at any meeting of the council or of any committee thereof, and for that purpose may issue subpoenas or attachments in any case of inquiry or investigation, to be signed by the presiding officer of the council or chairman of such committee, as the case may be, which shall be served and executed by any officer authorized by law to serve the subpoenas and other process, and, if any witness shall refuse to testify to facts within his knowledge, or to produce any books or papers in his possession or under his control, the council shall have power to commit the witness to prison for contempt. No witness shall be excused from testifying touching his knowledge of the matter under investigation in any such investigation or inquiry before the council or committee thereof, or before any officer of the city having power to conduct any investigation, but such testimony shall not be used against him in any criminal prosecution, except for perjury.

### EXECUTIVE.

SECTION 11. The executive power and authority of such cities shall be vested in the mayor, the heads of departments hereinafter named and such officers as shall be created by law or appointed by virtue of this act.

SECTION 12. There shall be a mayor and police judge who shall be chosen by the electors in the same manner, and for the same terms as now provided by law, and a clerk of the police court who shall be chosen by the electors in the same manner as now provided by law, and shall serve for the term of two years, and shall receive as compensation the sum of eighteen hundred dollars per annum.

SECTION 13. The board of public works in such cities shall consist of four members, electors in such cities, and shall as the terms of the present incumbents expire be appointed by the mayor. The term of

office of any member of said board so appointed by the mayor shall not extend beyond the term for which the mayor so appointing him, is elected. Members of said board shall also be the heads of departments as hereinafter provided. The mayor shall at the time of the appointment of each member of said board designate which of the four departments said member shall have charge of, as director, as hereinafter provided. Each member of said board shall receive a salary of \$3,000.00 per annum. Said board shall be the successor of, and shall, except as herein otherwise provided, have all the powers and perform all the duties vested in the board of public works as heretofore established in such cities, and all laws and ordinances relating to the board of public works shall apply to such board.

SECTION 14. It shall have stated meetings, at least one each week, and shall keep a record of its proceedings. All votes shall be by yeas and nays and entered on the record, and a vote of the majority of the members of the board shall be necessary to adopt any question, motion or order.

SECTION 15. There shall be the following departments in such cities, to-wit:—

- (1) Department of law.
- (2) Department of accounts.
- (3) Department of public safety.
- (4) Department of public improvements.

There shall be a director of each of said departments who shall be appointed by the mayor except as hereinafter provided. Each of said directors before entering upon the duties of his office shall give bond according to law in the sum of \$25,000, excepting, however, the director of accounts who shall give bond according to law in the sum of \$50,000. Such bonds to be approved by the mayor and council.

SECTION 16. The mayor shall receive a salary of \$4,000 per annum, and no officer shall receive pay for services when absent from the city more than two weeks at any time in any year.

SECTION 17. The mayor and heads of the several departments shall devote their entire time to the duties of their respective offices, and shall hold no other offices, either federal, state, county or municipal, except as notary public or an officer of the militia, nor be an employe of any such office. They shall consult and coöperate in such way, not inconsistent with law or ordinance, as to adopt and follow a systematic method to secure the most economical purchase of supplies for all departments, at uniform rates throughout, and generally to secure the most efficient economical administration of the affairs of the city throughout so far as it may be in their power and under their authority.

SECTION 18. The compensation of all officers shall be by stated salary, and fees and perquisites authorized by law or ordinance shall be paid into the city treasury upon certificates of the director of accounts, and unless otherwise provided shall be credited to the general fund.

SECTION 19. If any person holding any office mentioned in this act, or any employe of the city, shall receive any fee, present or gift or emolument or share therein, for official services other than his legal salary or compensation, he shall forfeit his office and shall be liable to prosecution as provided in section 6900 of the Revised Statutes of Ohio, and any such person or employe having accepted any pass or free transportation from any railway company, including street railway companies,

shall be deemed as having accepted the same for official services and shall be liable to forfeiture of office and prosecution as hereinbefore provided.

SECTION 20. All officers shall be bona fide residents of the city and citizens of the United States, and except where provision is otherwise made by law, they shall give bond in such sum as the council shall prescribe.

SECTION 21. No officer or employe of any department shall attend or be a member or delegate to any political convention at which municipal officers are to be nominated, and in case any such officer or employe shall violate this provision it shall be the duty of the mayor or head of the appropriate department, as the case may be, to remove such officer from office or discharge him from employment, but provided that nothing herein contained shall apply to any officer or member of the police force who may be detailed to attend such convention in the course of his duty.

SECTION 22. No member of the city council or mayor or other officer, clerk or employe of the city shall act as agent or attorney for any person, company or corporation in relation to any matter to be affected by action of the legislative or any other department or officer of the city, and the violation of this provision shall be cause for removal.

SECTION 23. Except as otherwise provided in this act, all officers, clerks and employes of the several departments and subdivisions thereof, shall be appointed or employed by the head of the department, except as herein provided.

SECTION 24. The head of any department may, by written order, giving his reasons therefor, remove or suspend any officer or employe of such department.

SECTION 25. The heads of the several departments may prescribe rules and regulations not inconsistent with law for the government of their respective departments, the conduct of their officers and employes, the distribution and performance of the business under their charge, and the custody, use and preservation of the books, records, papers and property pertaining to their respective departments.

SECTION 26. The heads of each department shall, upon request, furnish to the mayor or council any information desired in relation to its affairs.

SECTION 27. The mayor and heads of the several departments shall each have seats in the council, and the mayor shall be entitled to take part in its proceedings and deliberations on all questions, and the heads of the departments shall be entitled to take part in its proceedings and deliberations on all questions relating to their respective departments, subject to such rules as the council shall from time to time prescribe, but without the right to vote; and such officers may be compelled to attend meetings of the council in the same manner as the members.

SECTION 28. In addition to the duties now prescribed by law the mayor shall communicate to the council, semi-annually, statements of the finances of the city and such other information relating thereto as to the general condition of the affairs of the city as he may deem proper or as may be required by the council. The mayor and each of the heads of the departments shall, annually, as early as the first day of December, make a certified statement of the receipts and disbursements of their respective departments; which statement shall contain the names of all employes in such departments and the amounts of the salaries paid to

them. Such statement shall be published in one issue of the newspaper or newspapers having the contract for public printing for that year, and to be paid for at the same rates as provided for other public printing.

SECTION 29. He may remove, at his discretion, any director or other officer or employe appointed by him. The order of removal shall be in writing and shall be entered on the record in his office.

SECTION 30. He may at any time appoint competent, disinterested persons not exceeding three in number, not more than two of whom shall be of the same political party, and whose compensation shall be fixed by council by ordinance, to examine, without notice, the affairs of any department, officer or employe, and the result of such examination shall be recorded in his office and also transmitted by him to the council without delay.

SECTION 31. In case of emergency, for a period not exceeding five days, and longer if so authorized by the council, the mayor may at his discretion assume entire control and direction of the fire and police forces of the city and exercise all the powers conferred upon the fire and police departments in relation thereto.

SECTION 32. The mayor shall have a clerk to be appointed by himself, who shall receive compensation as the council shall prescribe by ordinance, and said private clerk shall act as secretary of the board of public works hereinbefore provided.

SECTION 33. The mayor shall call together the heads of departments for consultation and advice upon the affairs of the city at least once a month, and at such meetings he may call on them for such reports as to the matters under their management and control as he may deem proper. No person shall be eligible to the office of mayor for more than four years in any period of six years.

#### DEPARTMENT OF LAW.

SECTION 34. Within ten days after the next annual municipal election by the electors of such cities, the mayor of such cities shall appoint a successor for the member of such board whose term then expires, which person so appointed shall be an attorney at law admitted to practice in the courts of Ohio. He and his successors shall also have charge of the department of law and shall be known as the director of law, and in addition to the duties devolving upon him as member of the board of public works he shall be the legal advisor of and act as attorney and counsel for all the officers of such cities in the matters relating to their official duties. He shall prepare all contracts, bonds and other instruments in writing in which the city is concerned, and shall indorse on each his approval of the form and correctness thereof, and no contract with such city or any of its departments shall take effect until he has indorsed thereon such approval. He shall also perform such other duties as are prescribed by law or ordinance for solicitors in cities of the first grade of the second class. Such director of law shall have all the powers and perform all the duties of the prosecuting attorney of the police court in cities of the first grade of the second class, and may detail and delegate one or more of his assistants to act as prosecuting attorney of the police court; and the office of police prosecutor in cities of the first grade of the second class is hereby abolished.

a. In the absence or disability of the mayor the director of law shall act in his stead, performing all the duties incident thereto except the re-

removal or appointment of heads of departments; provided, however, that the said director of law may fill vacancies occasioned by action of the city council during prolonged or permanent disability of the mayor.

SECTION 35. The director of law shall appoint such assistants and clerks as may be authorized by ordinance, and he and such assistants shall be attorneys at law, admitted and qualified to practice in the courts of the state of Ohio.

SECTION 36. The members of such board whose terms do not expire at the time of the next municipal election, held after the passage of this act, shall continue in office until the expiration of the term for which they have been respectively elected or appointed. Whenever the office held by any such member by reason of the expiration of his term or from any cause becomes vacant, such vacancy shall be filled by appointment by the mayor.

#### DEPARTMENT OF ACCOUNTS.

SECTION 37. Any member of the board of public works whose term of office expires one year next after the first municipal election after the passage of this act, shall from and after such election, until his term of office shall expire, assume the duties of director of accounts, as herein provided, in addition to the duties devolving upon him as member of such board, and shall be known as the director of accounts. And the office of auditor in such cities shall, upon the appointment and qualification of such person, be at once abolished.

a. The director of accounts may appoint a deputy, who, in the absence or disability of said director, may perform every and any duty of the director of accounts, except the appointment or removal of clerks or employes of said department.

SECTION 38. It shall be the duty of the director of accounts to keep accurate accounts of all taxes and assessments, and of all moneys due to, and of all the receipts and disbursements made by the city, or in its behalf, and of all appropriations made by the council, and of all assets and liabilities of the city. He shall, at the end of each fiscal year, and oftener if required by the council, audit accounts of the several departments and officers, and shall audit all other accounts in which the city is concerned, and shall prescribe the form of accounts and reports to be rendered to his department, and shall have the inspection thereof. Detailed reports shall be made by each department to the director of accounts, showing the receipts of all moneys by such department and the disposition of the same. Such report shall be made at any time or times the director of accounts may designate. If any officer or employe of such city shall fail or neglect to make such required report within a reasonable time he shall forfeit his salary for the month in which such failure occurs, and it is hereby made unlawful for the director of accounts to draw his warrant upon the treasurer for the payment of the same.

SECTION 39. No warrant for the payment of any claim shall be issued by the director of accounts until such claim shall have been approved by the head of the department for which the indebtedness was incurred and every head of department and his sureties shall be liable to the city for all loss or damage sustained by it by reason of the negligent or corrupt approval of any claim against the city in his department.

SECTION 40. Whenever a claim shall be presented to the director of accounts he shall have power to require evidence that the amount



claimed is justly due and is in conformity to law and ordinance, and for that purpose he may summon before him any officer, agent or employe of any department of the city, or any other person, and examine him upon oath or affirmation relative thereto, which oath or affirmation he may administer.

SECTION 41. No money shall be drawn from the treasury except in pursuance of appropriations made by the council, and whenever an appropriation is made by the council the clerk shall forthwith give notice thereof to the director of accounts and treasurer. No appropriation shall be made for a longer period than until the end of the current year, and at the end of each year all unexpended balances of appropriation shall revert to the respective funds from which the same were appropriated.

SECTION 42. If the director of accounts shall draw a warrant for any claim contrary to law or ordinance, he and his sureties shall be individually liable for the amount of the same.

SECTION 43. He shall, upon the death, resignation, removal or expiration of the term of any officer, audit the accounts of such officer, and if such officer be found indebted to the city he shall immediately give notice thereof to the council and the corporation counsel and the latter shall proceed forthwith to collect the same.

SECTION 44. He shall make to the mayor annually, and to the council whenever required, a report of the accounts of the city, verified by his oath, exhibiting the revenues, receipts, disbursements, assets and liabilities of the city, the sources from which the revenues and funds are derived and in what manner the same have been disbursed, which report shall be published as required by law or ordinance.

SECTION 45. He shall perform such other duties as are prescribed by law or ordinance for directors of accounts or comptrollers in cities of the first grade of the second class not inconsistent with the provisions of this act.

#### DEPARTMENT OF PUBLIC SAFETY.

SECTION 46. Any member of the board of public works whose term of office expires two years next after the first municipal election after the passage of this act shall, from and after such election, until his term of office expires, assume the duties of director of public safety as herein provided in addition to the duties devolving upon him as member of such board; and shall be known as the director of public safety.

SECTION 47. The police force of the city, the officers, employes and property connected therewith, police telegraphs, telephones and signals, sealing of weights and measures, city scales and markets; the inspection of food and all matters relating to the public health, the fire force of the city, the officers, employes and property connected therewith, the fire telegraph, signals, fire alarm, the inspection of buildings, boilers, elevators and fire escapes, all the provisions of law or ordinance relating to the examination, regulation and licensing of stationary engineers and the consumption of smoke and all matters relating to the fire service, and all charitable institutions established by said city shall be under the management, control and administration of this department.

There shall be the following subdivisions in the department of public safety, to wit:

First. A division for the care and management of the police, of

which division there shall be a chief officer to be called the superintendent of the police force.

Second. A division for the care and management of fire, of which division there shall be a chief officer to be called superintendent of the fire department.

Third. A division having the care and management of the infirmary and all charitable institutions established by the city, and of all improvements relating to the public health, of which division there shall be a chief officer to be called the superintendent of health and charities.

SECTION 48. The director shall appoint the superintendent of the police force, and within the limit prescribed by the council such other officers and patrolmen as in his opinion the public interests require, subject to the provisions of section 5 of this act, under and in pursuance of rules and regulations providing for the ascertaining of the comparative fitness of all applicants for appointment or promotion, by a systematic, open and competitive examination of such applicants, which rules and regulations it shall be the duty of the mayor and the head of the department to make and submit to the council within sixty days after the second Monday of April, 1893, and annually thereafter, and when approved by the council they shall be promulgated and enforced as permanent rules, and shall only be changed in the manner herein provided for their adoption. He may, at his discretion, appoint any such patrolman on probation and discharge any patrolman thus appointed within six months of the date of his appointment; provided, that if demanded by the patrolman so discharged, the cause of his discharge shall be assigned to him in writing by the director. He may in cases of emergency, by and with the consent of the mayor, appoint such number of special patrolmen as may be deemed necessary, which appointments shall be recorded and be subject to the action of the council at its next meeting; and during their service such special appointees shall possess the powers to perform the duties of regular patrolmen, and shall receive such compensation as may be fixed by the council by ordinance for a period not exceeding five days, unless authorized by law or ordinance.

SECTION 49. The director may detail such officers or members of the police force for special detective duty as he may think the public interest requires, and the person so detailed shall receive for such services such compensation as the council may prescribe, and may at any time be reassigned by the director to the duty in the rank from which they were detailed.

SECTION 50. All process of the police court shall be directed to the superintendent of police and shall be executed by any person appointed for the purpose by the director, and the director shall appoint from the members of the force such number of suitable persons as may be necessary to attend the sittings of, preserve order in and execute all process and orders of the police court, and such persons shall be the special deputies of the superintendent of police.

SECTION 51. Except as herein otherwise provided, the powers and duties heretofore vested in the board of police commissioners, the poor department and the board of health are hereby vested in the director of public safety, and all the provisions of law pertaining to the said police, poor and health departments shall apply to the department of public safety and be administered by the director thereof.

**SECTION 52.** Subject to the provisions of this act in reference to contracts, the director of public safety shall purchase all the necessary fire engines, either steam or hand, hose carriages and all such other apparatus and instruments as shall be deemed necessary for the extinguishing of fires, and establish lines of fire-alarm telegraph within the limits of the corporation, and shall cause to be erected all necessary and suitable buildings for containing fire engines, hose carriages, fire apparatus and engines.

**SECTION 53.** The officers and members of the fire force shall be appointed by the director of public safety, subject to the provisions of section 6 of this act, but from and after the passage of this act no such appointment or any promotion in such force shall be lawful except in cases of emergency, unless made under and in pursuance of rules and regulations providing for the ascertaining of the comparative fitness of all applicants for appointment or promotion by a systematic, open and competitive examination of such applicants, which rules and regulations it shall be the duty of the mayor and the head of the department to make and submit to the council within sixty days after the second Monday of April, 1893, and annually thereafter, and when approved by the council they shall be promulgated and enforced as permanent rules, and shall only be changed in the manner herein provided for their adoption; provided, that no officer or member of said force shall be appointed until such rules and regulations have been promulgated except to fill any vacancy caused by death or resignation.

**SECTION 54.** The director of public safety may appoint an inspector of buildings, who shall be an architect or builder, and who shall have all the powers and perform all the duties now prescribed for the inspector of buildings in cities of the first grade of the second class. And he may also appoint an inspector of plumbing and gas fitting, who shall be a skilled plumber and gas fitter and who shall have such powers, perform such duties and receive such compensation as the council may by ordinance prescribe.

#### DEPARTMENT OF PUBLIC IMPROVEMENTS.

**SECTION 55.** Any member of the board of public works whose term of office expires three years next after the first municipal election after the passage of this act shall, from and after such election until his term of office expires, assume the duties of director of public improvements as herein provided, in addition to the duties devolving upon him as member of such board, and shall be known as the director of public improvements.

**SECTION 56.** The director of public improvements may appoint a deputy, who, in case of the absence or disability of said director, may perform every and any duty of the director of public improvements except the appointment or removal of officers.

**SECTION 57.** Except as otherwise provided in this act, the director of public improvements shall have the care, management and administration of the water-works, shall fix the rates to be charged therefor, and collect the same, shall have the care of streets, avenues, alleys, highways, public grounds, parks, and the opening, improving, repairing and cleaning of the same; shall have charge of the construction, protection and repair of public buildings, bridges and structures of every kind; of sew-

ers, drainage and dredging; of making and preserving all surveys, maps, plans, drawings and estimates relating to the public work under the charge of said department; and of all matters and things in any way relating to or affecting the highways, footways and waterways; provided, that nothing in this act shall be construed to affect in any manner the control, management or tenure of any lands that may have been donated to such cities for park or other purposes. The director of public improvements shall have the supervision and the exclusive control of the lighting of the streets, alleys, avenues and public places and buildings of the corporation, and may at any time, when in his judgment the best interests of the corporation will be subserved, advertise for proposals for lighting the same for a term, said advertising to be in accordance with the provisions of section 4 of this act; and he shall contract with the lowest responsible bidder to perform such contract, or may reject any or all such proposals or bids, and for the faithful performance of any such contract, may demand such security as he deems proper; or may, if authorized by ordinance of the city council, establish an electric light plant for the purpose of lighting the city.

SECTION 58. Except as otherwise provided in this act all the powers heretofore vested in and performed by the trustees of water-works, trustees of cemeteries, park commissioner, street commissioner, platting commissioners and civil engineer, in cities of the first grade of the second class, shall be vested in and performed by the director of public improvements, and all laws pertaining to the matters, the administration of which is by this act vested, shall apply to said department and be enforced by the director thereof.

SECTION 59. There shall be the following subdivisions in the department of public improvements, to wit:

First. A division having the care and management of the water-works and all property connected therewith, the supply and distribution of water, fixing the rates therefor and collection of water rents, of which division there shall be a chief engineer to be called the superintendent of water-works.

Second. A division having charge of the repairing, cleaning and lighting of streets, avenues, alleys, highways, public grounds and catch basins, of which division there shall be a chief officer to be called the superintendent of streets.

Third. A division having charge of the opening, improving of streets, avenues, alleys, highways and public grounds, the construction, protection, repairing of public buildings, bridges, sewers and structures of every kind under the administration of this department; of making and preserving all surveys, maps, plans, drawings and estimates relating to the public work under the charge of said department, and of all matters and things relating to or affecting the highways and footways. There shall be a chief officer of said division to be called the chief engineer.

#### OTHER OFFICERS AND BOARDS.

SECTION 60. The police judge and the clerk of the police court shall have such powers and perform such duties as are now prescribed by law.

SECTION 61. The annual city board of equalization, the decennial board of equalization, the board of tax commissioners and the sinking

fund commissioners shall continue as now established by law, except that all vacancies in said boards and all successors to the present incumbents shall, upon the expiration of their terms of office, be appointed by the mayor. The director of accounts shall be the secretary of the tax commissioners and of the sinking fund commissioners and keep the minutes of their proceedings. But the salary of the director of accounts shall cover all services rendered or to be rendered by him in his several capacities and separate salaries shall not be fixed or paid to him for services in his several capacities.

### CONTRACTS.

SECTION 62. The council shall make all suitable provisions by ordinance for the cleaning of streets and alleys, except in such cases as now provided by law, and such work to be so done shall be done under the direction of the board of public works and the director of public improvements, except for street improvements. No contract, agreement or obligation shall be binding upon the city unless an appropriation therefor shall have been made by the council, but contracts pending for a period of one year, upon which payments are to be made as the work progresses as per contract, may be entered into by such cities, provided a tax has been levied to pay estimated expenditures required by such contract and that the same does not exceed the tax levied for that purpose; and in such case the certificate of the director of accounts as provided in section 2702 of the Revised Statutes, shall only be required to state the amount of the levy and that the same is sufficient to pay such expenditures and has not been appropriated for any other purpose.

SECTION 63. All contracts shall be in writing, signed and executed in the name of the city by the head of the appropriate department and approved by the board of public works, by a ye and nay vote before they are binding upon the city.

SECTION 64. No contract involving an expenditure to exceed \$500 in amount shall be made without advertising for proposals in accordance with the next following section of this act. When money therefor has been already appropriated by the council, the heads of departments may contract for and make purchases not exceeding \$250.00 at any one time for use in their respective departments, but all such contracts shall be forthwith reported to the director of accounts; said report shall state accurately in detail regarding same, embracing to whom and the prices to be paid.

SECTION 65. When the corporation makes a contract for printing, an improvement or repair, or purchase any supplies, the cost of which will exceed \$500.00, it shall proceed as follows:

a. It shall advertise for bids for a period of two weeks, as herein provided.

b. The bids shall be filed with the clerk of the board of public works, sealed up, by 12 o'clock at noon of the last day, as stated in the advertisement.

c. The bids shall be opened at 2 P. M. on the last day for filing the same, by the clerk of the board of public works, the mayor and the head of the appropriate department, or any two of them, and publicly read by the officer opening the same, filed in the office of the board of public works, and reported by the clerk to the board of public works at the next

regular meeting thereafter, and copies of all bids shall be kept by the clerk in a book provided for that purpose.

*d.* Each bid shall contain the full name of every person interested in the same, and shall be accompanied by a sufficient bond of some disinterested person, or persons, residents of the county, or a certified check on a solvent bank of such city, for such an amount and upon such terms as may be prescribed by the officer or officers advertising for proposals, that if the bid is accepted the contract will be entered into and the performance of it properly secured.

*e.* If the work bid for embraces both labor and material, they shall be so separately stated, with the price thereof.

*f.* None but the lowest responsible bid shall be accepted, when such bids are for material and labor separately. But the board of public works may, at its discretion, reject all the bids or accept any bid which may be the lowest aggregate cost.

*g.* The contract shall be between the corporation and the bidder, and the corporation shall pay the contract price for the work in cash, provided, however, that the contract price for an improvement, for the payment of the cost of which a special assessment is authorized by law, may be paid in instalments, as the board of public works may determine.

*h.* If two or more bidders are equal for the whole or any part of the work, but are lower than any others, either may be accepted, but in no case shall the work be divided between them.

*i.* When there is reason to believe that there is a collusion or combination among the bidders, or any number of them, the bids of those concerned therein shall be rejected; provided, that in case of an emergency, or upon the recommendation of the mayor, the board of public works may, by resolution, authorize an expenditure not exceeding \$1,000 without complying with the provisions of this section.

SECTION 66. Every contract for a public improvement or repair shall be based upon a detailed estimate of the cost of the whole improvement or repair.

SECTION 67. No contract for work to be done, for, or material to be supplied to, the city or any department thereof shall be made with any councilman, officer or employe of the city, or with any firm, partnership, corporation or association of which such councilman, officer, employe, is a member, or director, manager or employe during the term for which he shall have been elected or appointed, or for one year thereafter, and any such councilman, officer or employe who knowingly acquires an interest in any such contract shall forfeit his office.

## GENERAL.

SECTION 68. Whenever an action is brought against the city on a claim for which the city would have a right of action over against another person, company or corporation, such other person, company or corporation may be made co-defendants therein, together with the sureties on the bond of such person, company or corporation, if there be any, and the city may file in such action a copy of the bond; and such person, company, corporation and sureties may make any defense to such claim that the city may make and shall be liable to pay the judgment, if any, rendered therein against the city; and judgment may also be rendered in the same action against such person, company, corporation and sureties or either

thereof, and said judgment shall be a lien upon the real estate of such person, company, corporation and sureties for the same in favor of the city, from the date of filing the copy of the bond aforesaid.

SECTION 69. For the purpose of properly carrying out the provisions of this act the council shall enact ordinances providing for the reorganization of the several departments of the city so as to conform to the requirements of this act. All the executive powers and duties not heretofore otherwise distributed, shall be assigned by ordinance, to the appropriate departments hereby created.

SECTION 70. The first appointments under this act shall be made as soon as practicable after the election and qualification of the mayor, elected at the next annual municipal election.

SECTION 71. Except as herein otherwise provided, all existing officers, boards and departments in such cities are hereby abolished. Provided, however, that all officers of such cities of the first grade of the second class in office shall remain in their respective offices until the appropriate officers under this act shall have been elected or appointed, as the case may be, and shall have been duly qualified.

SECTION 72. This act shall not be construed as applying to or affecting the board of elections, justices of the peace, constables or assessors.

SECTION 73. If any head of a department contracts any liability beyond the amount appropriated for such department by ordinance of the city council, he and his bondsmen shall be individually liable to the city for the amount of such excess, and it shall be unlawful for the director of accounts to draw a warrant upon the city treasury for the payment of the salary of such head of department until such excess is made good by such head of department. Provided, however, that the city council may, by a vote of three-fourths of all the members elected thereto, waive the exaction of such liability.

SECTION 74. That so much of an act entitled "An act to create a board of public works in, and making certain changes in the government of cities of the first grade of the second class," passed April 3d, 1890, and all parts of said act that are inconsistent with this act be and the same are hereby repealed in so far as they may be applied to cities of the first grade of the second class; and any and all sections of said act that may hereafter come in conflict with this act shall, when said conflict occurs, be repealed in so far as such section or sections may apply to cities of the first grade of the second class. That so much of an act entitled "An act to provide for the police court in cities of the first grade of the second class and to amend sections 1797, 1814 and to supplement section 1785," passed March 2d, 1891, and all acts and parts of acts inconsistent with this act be and the same are hereby repealed in so far as they may apply to cities of the first grade of the second class; that all ordinances of such cities of the first grade of the second class heretofore adopted which may be in conflict or inconsistent with the provisions of this act be and the same are hereby set aside, repealed and held for nought. Provided, that nothing in this act shall be construed to affect in any manner or control the management or tenure of any lands that may have been donated to such cities for parks or other purposes, and provided further, that nothing in this act shall be construed to affect or interfere with the term of any incumbent in office except of cities of the first grade of the second class.

SECTION 75. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 7, 1893.  
92G

[House B 11 No. 459.]

### AN ACT

To authorize cities of the first grade of the second class to levy a tax to build a work-house.

[COLUMBUS.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That councils of cities of the first grade of the second class, in addition to taxation authorized to be levied for other purposes, be and they are hereby authorized to levy upon each dollar of the taxable property of said cities, as the same is listed for taxation upon the grand duplicate, not to exceed one-half of a mill in order to raise money to build and equip a work-house. Said tax shall be collected as are other taxes, and the money arising therefrom shall constitute a separate fund to be called the work-house fund and shall be applied solely to the purposes for which it is raised.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed January 11, 1893.  
3G

[House Bill No. 825.]

### AN ACT

Amendatory of and supplemental to section 32 of an act entitled "An act to create a board of public works in and making certain changes in the government of cities of the first grade of the the second class," and to repeal an act therein described.

[COLUMBUS.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 32 of an act entitled "An act to create a board of public works in and making certain changes in the government of cities of the first grade of the second class," be amended, and that supplemental sectional numberings 32a, 32b and 32c be added to said section 32, so as to read as follows:

Sec. 32. It shall be the duty of the board of public works to supervise the sprinkling, cleaning and repairing of the streets, alleys, avenues and lanes, the cleaning of the public wharves and buildings, market houses and spaces, bridges, sewers, drains, ditches, culverts, ship channels,



streams and water courses of the corporation, and the planting and caring for shade trees in the streets, avenues and lanes, under the control of the city; the board, whenever in its judgment the best interests of the city will be subserved, may advertise for sealed proposals to perform the work of sprinkling, or cleaning, or planting or caring for shade trees in any street, avenue, alley or lane, or designated part thereof, or any number of such streets, avenues, alleys or lanes, or parts thereof, or any part of the work aforesaid, in some newspaper of general circulation, within such cities for a period of ten days, and shall contract with the lowest responsible bidder to perform such contract; provided, that the price or prices named in said proposals and contract shall be separately stated as to each street, avenue, alley or lane or part thereof, therein included, and for the faithful performance of the same may demand such security as in its judgment it deems proper, or may reject any or all such proposals or bids.

Sec. 322. It shall be the duty of the board of public works immediately after the execution of any contract for repairing or sprinkling, or cleaning or sprinkling and cleaning any of the streets, alleys, avenues or lanes of said city, or for planting and caring for shade trees therein as above provided, to recommend to council for passage an ordinance charging the whole of the cost and expense of the work and labor and material as provided for in said contract, or such part thereof as may be necessary after applying the proper funds of the corporation thereto, upon the lots and lands abutting upon such street or streets, avenues, alleys or lanes between the points named in said contract, to be estimated by the foot front of said property to be charged and assessed; provided, that the total sum so assessed against the lots and lands bounding or abutting on any such street, avenue, alley or lane, shall be for work and material thereon only, including intersections, at the price or prices named in the proposal and contract for such street, avenue, alley or lane, and also provided, that such proportion thereof as may be for planting or caring for shade trees may be levied and assessed against the lots and lands bounding or abutting upon such street, avenue, alley or lane, in proportion to benefits accruing thereto; and the said ordinance when so passed by council shall charge the amount therein stated upon said lots and lands as above directed, and shall prescribe how and to whom the said assessment shall be payable, which may be in one or more instalments, and the contractor named in the said contract may be named in the ordinance aforesaid as the agent of the city to collect the said assessments; provided, that at no time shall the said contractor receive a statement of assessments for collection as aforesaid, or be in any manner authorized to collect any part of said assessments in excess of the amount then due him for work already completed under his said contract, and unless there shall first have been filed with the board of public works a statement, in writing, by the superintendent of street cleaning, or other officer having similar duties, that the said contract has been fully complied with by the said contractor.

Sec. 326. Upon failure to collect any part of the assessment aforesaid, there shall be filed with the board of public works a statement of the said unpaid assessments, verified by affidavit, that diligent effort has been made to collect the same, and it shall thereupon be the duty of the said board of public works to cause the said unpaid assessments to be certified to the auditor of the proper county to be placed upon the duplicate and collected as other taxes.

Sec. 32c. The said assessments shall, as the same are collected, be placed to the credit of a separate fund for the exclusive use for which it was assessed, and shall be paid out upon the warrant of the city auditor, which shall be issued upon vouchers duly approved by the board of public works.

SECTION 2. That an act entitled "An act to provide for the repair and taking care of streets in cities of the first grade of the second class, and for other purposes," passed April 17, 1891 (O. L. 88, p. 323), be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed February 3, 1893.

32G

[House Bill No. 1234.]

### AN ACT

To authorize the commissioners of Franklin county, Ohio, to issue bonds for the purpose of completing and finishing the viaduct over and across the railroad tracks at the intersection of Leonard and Joyce avenues, with said railroad tracks, northeast of the city of Columbus, in said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of county commissioners of Franklin county, Ohio, be and they are hereby authorized and empowered to issue and sell the bonds of said county, according to law, in sums of not less than one thousand dollars each, bearing interest at the rate of six per cent. per annum, payable semi-annually, and not to exceed in the aggregate the sum of thirty-five thousand dollars, for the purpose of providing means to complete and finish the viaduct and the approaches thereto over and across the railroad tracks at the intersection of Leonard and Joyce avenues, with the tracks of the Pittsburg, Cincinnati, Chicago and St. Louis railway company and the Baltimore and Ohio railroad company, northeast of the city of Columbus in said county, the building of which viaduct was authorized by an act of the general assembly of the state of Ohio, passed April 16, 1890, and amended March 6, 1891, entitled "An act to authorize the commissioners of Franklin county, Ohio, to construct a viaduct and approaches thereto across the railroad tracks on Leonard and Joyce avenues;" and said commissioners are further authorized and empowered to levy a tax on all the property on the tax duplicate of said county to pay bonds as they mature and the interest thereon, at such rate and for such length of time as may be necessary for that purpose.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,

*Speaker pro tem. of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed March 8, 1893.

104L

[House Bill No. 735.]

## AN ACT

To authorize cities of the first grade of the second class to issue bonds for water-works purposes.

[COLUMBUS.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That cities of the first grade of the second class be and they are hereby authorized and empowered to issue bonds to the amount of one hundred and fifty thousand dollars for the purpose of building, enlarging or extending the water-works belonging to such cities.

SECTION 2. That for the purpose of raising funds to pay for the building, enlarging or extending the water-works of such cities, the city councils of such cities are hereby authorized and empowered to issue the bonds of such cities in an amount not exceeding one hundred and fifty thousand dollars. Said bonds shall be issued whenever said city councils may determine that they are necessary for such purposes, and in denominations of one thousand dollars each, and shall be payable at any time fixed by such councils, not exceeding fifteen years from their date. Said bonds shall be designated as water-works bonds and shall bear such rate of interest not to exceed five per centum per annum, payable semi-annually, as the city councils of the cities issuing them shall determine; and said bonds shall, in all respects, be made and disposed of as provided by law.

SECTION 3. That city councils of cities which avail themselves of the provisions of this act shall levy annually, upon all the taxable property in such cities, a tax sufficient in rate and amount to pay the accruing interest on said bonds and to provide a sinking fund to pay said bonds at maturity, and such levy may be additional in rate and amount to the taxes authorized by law to be levied for any and all other purposes.

SECTION 4. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,

*Speaker pro tem. of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed March 8, 1893.

99G

[House Bill No. 1068.]

## AN ACT

To authorize park commissioners to improve park grounds and to issue bonds of cities of the first grade of the second class.

[COLUMBUS.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of any park within cities of the first grade of the second class, where the title to the real estate constituting such park may have been or may be purchased partly by the county in which any such city may be situated, and partly by such city of the first grade of

the second class, shall have power and authority to adopt plans for the improvement of such grounds, and enter into contracts to carry such plans into effect and for the erection of the necessary structures thereon; and may adopt such rules and regulations for the care, protection and government of the grounds under their charge as to such commissioners may seem reasonable and proper.

SECTION 2. For the purpose of raising money to defray the expenses of carrying out any such plans of improvement, the erection of such structures, and the care, protection and government of such grounds, such commissioners are hereby authorized and empowered to issue and sell the bonds of such city of the first grade of the second class, according to law, from time to time as such funds may be needed, for the payment of which the credit of such city shall be pledged, payable in not more than fifteen years, in sums of not less than one thousand dollars each, bearing interest at the rate of not more than five per cent., payable semi-annually, and not to exceed in the aggregate the sum of one hundred thousand dollars; which bonds shall be signed by the mayor and auditor of such cities and have the corporation seal affixed thereto.

SECTION 3. In no case shall such bonds be sold for less than their par value. All such sales shall be to the highest and best bidder, after thirty days' notice in at least two newspapers of general circulation in the county in which such city of the first grade of the second class may be situated, setting forth the nature, amount, rate of interest and length of time the bonds have to run, with time and place of sale. Additional notice may be published outside of such county, and when any such bonds have been twice advertised and offered for public sale, and the same, or any part thereof, remain unsold, then such bonds, or any part thereof may be sold by such park commissioners at private sale, at not less than their par value. All funds arising from such sales shall be placed in the treasury of such city to the credit of such park funds.

SECTION 4. To pay the principal and interest on such bonds the councils of such cities shall, annually, levy upon all the taxable property of such cities a tax sufficient in rate and amount to pay the interest and to provide a sinking fund to pay such bonds at maturity, and such tax may be additional in rate and amount to all other taxes authorized to be levied by such cities for any and all other purposes.

SECTION 5. Before such board of park commissioners shall issue or sell any such bonds, the proposition shall be submitted to the electors of such cities of the first grade of the second class, at a general municipal election, ten days' notice of which shall be published in at least one newspaper of general circulation in such cities, whether or not such bonds shall be issued. Such election shall be held at the usual places of holding elections, by separate ballots, upon which the electors favoring the proposition to issue such bonds shall have written or printed, "Issuance of park improvement bonds—Yes," and those opposing the same, "Issuance of park improvement bonds—No," which ballots shall be deposited in separate ballot boxes; and the judges and clerks of such election in canvassing such ballots and transmitting the returns thereof shall be governed by the provisions of the statutes on those subjects relating to the election of municipal officers, and the result of such election shall be ascertained and declared in the same way. If a majority of the electors voting upon such proposition vote "yes," then such board of park commissioners shall have full power and authority to perform all the functions hereinbefore by this act authorized.

SECTION 6. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,  
*Speaker pro tem. of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 8, 1893.  
100G

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[House Bill No. 1147.]

### AN ACT

To authorize city councils of the cities of the first grade of the second class to issue bonds for the purpose of supplying deficiencies in the police fund of such cities.

[COLUMBUS.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city council of any city of the first grade of the second class be and it is hereby authorized and empowered, for the purpose of supplying the deficiency in the police fund of such city, to borrow a sum of money not exceeding sixty thousand dollars, and to issue the bonds of said city therefor, in denominations not less than five hundred nor more than one thousand dollars each, payable in not more than twenty years from the date of their issue, and bearing interest at a rate not to exceed five per cent. per annum, payable semi-annually, as such council may determine. Such bonds shall be designated, issued and sold in all respects in such manner as is, or may be prescribed by law.

SECTION 2. That city councils of cities which avail themselves of the provisions of this act shall levy, annually, upon all the taxable property in such cities, a tax sufficient in rate and amount to pay the accruing interest on said bonds, and to provide a sinking fund to pay said bonds at maturity, and such levy may be additional in rate and amount to the taxes authorized by law to be levied for any and all other purposes.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,  
*Speaker pro tem. of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 8, 1893.  
101G

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[House Bill No. 304.]

### AN ACT

To provide for the improvement of streets, avenues and alleys in cities of the first grade of the second class.

[COLUMBUS.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That cities of the first grade of the second class shall have authority

to pave any of the streets, avenues or alleys or parts thereof of said cities with asphalt, granite, or other stone block, cobble-stone, boulders, crushed stone, hard-burned brick or blocks, macadam or other substantial material; and whenever needed in connection therewith to curb and gutter said streets, avenues or alleys or parts thereof, and to ordain that the costs of said improvements shall be paid for and assessed upon the property bounding or abutting on the same in accordance with the various provisions of this supplement and in accordance with the various provisions of law now enacted or hereafter enacted applicable thereto and not inconsistent with this act, subject, however, to the restrictions in section two of this act, and this act shall be supplementary to title XII, division 3, chapter 4, and to title XII, division 7, chapter 4, of the Revised Statutes of Ohio, and to the various acts amendatory of, or supplementary to, the provisions thereof.

SECTION 2. The council shall, before the adoption of the resolution declaring it necessary to make such improvement, appoint three disinterested freeholders of the corporation, who after being duly sworn and having properly viewed said proposed improvement, shall report to the council the fair cash valuation of the respective lots or lands bounding or abutting upon the proposed improvement, before the same is made, and no improvement shall be made under this act if the contract price thereof exceeds sixty per cent. of the valuation as returned by said three disinterested freeholders, of any of the lots or lands taken separately, abounding or abutting on the proposed improvement, as herein ascertained; nor unless the owners of one-half of the feet front of the real estate bounding or abutting upon the proposed improvement petition therefor in writing to the city council or board of public works. And the amounts of the contracts for such improvements entered into by any such city between the first day of January of one year and the first day of January of the succeeding year shall not exceed one per centum of the valuation of the real estate of such city, as valued for taxation on the grand duplicate, nor shall the amount of bonds issued under this act, outstanding and unpaid at any one time, exceed five per centum of the valuation of the real estate of such city, as valued for taxation on the grand duplicate.

SECTION 3. In order to provide for the payment of the costs and expenses of said improvements to be assessed on the abutting property, the councils of such cities may, from time to time, as such improvement progresses, issue the bonds of such cities in such sums as will be required, in all to an amount not exceeding the contract price of the work and the other expenses attending the same, and interest as hereinafter provided for; said bonds shall be issued as other bonds of such cities are issued, but they shall bear the name of the street or avenue or alley for whose improvement they are issued, and shall state therein that they are to be paid by an assessment upon the property abutting on the said improvement; said bonds shall extend over a period of at least four years and not to exceed ten years, to be provided in the ordinance directing the improvement; they shall bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, on the first day of March and September, and principal and interest payable at the office of the city treasurer.

SECTION 4. The said bonds shall be negotiated at not less than par, as the other bonds of such cities are negotiated, and the proceeds shall be applied solely to pay for said improvement, and the proceeds thereof

shall only be paid upon the certificate of the city engineer that the work has been done according to the contract. When the whole work is done, the amount of the bonds sold to pay for the same, and the interest thereon to the next interest day, when assessments can be collected as hereinafter provided to pay the same, shall be taken as the cost of the said improvement to be paid by the abutting property owners, and that amount shall be assessed by ordinance of said council equally by the front foot of property bounding or abutting on the said improvement, except as hereinafter provided.

SECTION 5. Said councils shall cause such assessments to be placed upon the tax duplicate of the county in which said cities are situate, and the said assessments shall be payable in equal annual instalments so as to meet said bonds provided for in the ordinance ordering said improvements at the treasurer's office of said county, with interest at the rate provided in said bonds, payable semi-annually, from the date to which said semi-annual interest was computed, on the amount of said bonds, or so much as remains unpaid, from time to time, until all said bonds and interest are fully paid, and until said assessment and interest thereon is fully paid; and if the said assessments and interest thereon be not paid when the same become due and payable, the lot or parcel of land upon which the said unpaid assessment shall be a lien, shall be advertised and sold in the same manner provided by law for the sale of lands for delinquent taxes. And for the services rendered under this section and section 4 of an act entitled "An act to provide for the improvements of streets and alleys in the cities of the first grade of the second class," passed May 11th, 1886, the auditor and treasurer of the county shall receive such compensation as may be allowed by the city council.

SECTION 6. Such assessments, with the interest accruing thereon, shall be a lien on the property bounding or abutting upon the street, avenue or alley from the time the contract is entered into for the making of said improvement, and shall remain a lien until fully paid, having precedence of all other liens except taxes, and shall not be divested by any judicial sale unless the payment of the same is provided for from the proceeds of such sale; provided, such lien shall be limited to the usual depth of the lots or lands bounding or abutting on said improvement. No mistakes in the description of the property or the name of the owner or owners shall impair the said lien.

SECTION 7. But in cases of lots of irregular shape or corner lots lying lengthwise on the improvement, the council may, in the ordinance providing for the improvement, fix the assessable frontage of such lots at a less number of feet than actually bound or abut upon the improvement, as to it may seem equitable. The amount of such exemptions shall be assessed upon the assessable frontage of the property bounding or abutting on the improvement, or paid out of the general funds of the city, or out of an assessment levied upon all of the taxable property of the city, which is hereby authorized to be made, as the council may determine.

SECTION 8. Any owner of property against whom an assessment shall have been made for such improvement shall have the right to pay the same, or any part yet remaining unpaid, in full, with interest thereon, to the next semi-annual payment due on said assessment; such payment shall discharge the lien on the property. If any owner shall subdivide any bounding or abutting property after such lien attaches, he may discharge the same upon any part thereof in like manner.

**SECTION 9.** All moneys received from such assessments shall be appropriated by the proper authorities of the city solely to the payment of the interest and the redemption of the bonds issued for said improvement or any renewal thereof. If any bond or interest shall be due, and no money is in hand to pay the same, the cities shall be authorized to make a temporary loan to pay the same; but such lien shall continue in full force on the abutting property for the full assessments not paid and accruing interest for such temporary loan, in behalf of the said city.

**SECTION 10.** In such improvement ordinance the councils of such cities may designate two or more owners of property bounding or abutting upon said improvement, who, with the city civil engineer, shall constitute a board, which, after the contract for improvement has been made by the city, as provided by law, may elect an experienced and qualified superintendent, who shall see that the said contract is performed according to its true intent and meaning, and all orders of the engineer, in furtherance thereof, are obeyed. When the improvement is completed, the said engineer shall certify to the same; and said engineer shall make a proper plat and assessment sheet for said improvement on the bounding and abutting property, and submit the same to the city council for its action thereon. The property owners on such board shall serve without compensation, but the superintendent shall be paid such compensation for the time actually employed as shall be agreed upon by said board, and such payment shall be a part of the cost of said improvement.

**SECTION 11.** In any action brought to enjoin the letting of the contract for said improvement, or to enjoin the construction of said improvement, or to enjoin the issue of bonds to pay for the said improvement, or to enjoin the levy of an assessment for the said improvement, or to enjoin the collection of an assessment made for said improvement, because of any defects, infirmities or irregularities in the proceedings of said councils or other boards or officers of said cities, or in the records of the said proceedings, or in the plans or estimates of such improvement, the petition or other pleading filed for the said purpose shall, in addition to a statement of the facts showing such defects, infirmities or irregularities, contain a statement of the facts showing the injury, if any, that thereby has resulted, or shall result, to the person filing the said petition or other pleading, or has resulted, or shall result, to the lot or parcel of land assessed or to be assessed for the said improvement. And in any of said actions and in any action to enforce an assessment for such improvement, the court shall disregard any infirmity, irregularity or defect, whether in the proceedings of the said board or council or any officer of the corporation, or in the plans or estimates; and the acceptance of the work by the council upon the certificate of the city engineer shall be presumptive evidence that the contract has been complied with, and the assessment exists; but if it be shown that such person, or lot or parcel of land has suffered an injury because of such infirmities, defects or irregularities, or that there is any substantial defect of the improvement, or any fraud in the contract price of the work or materials, the court may make such order to relieve said person, lot or parcel of land from such injury, as may be equitable and just, and may order a proper deduction from the cost of said improvement for such substantial defect or fraud, which shall be ratably deducted from the assessments on all the property bounding or abutting on said improvement, and the court may make such order in regard to the costs, where such injury or substantial defect or fraud is found, as to the court shall seem proper.



SECTION 12. The term owner in this act shall be construed to include all corporations, private, public, state or municipal.

SECTION 13. Section 2270 and section 2702 of the Revised Statutes of Ohio shall not apply to an improvement ordained to be made under this act.

SECTION 14. That an act entitled "An act to provide for the improvement of streets and alleys in cities of the first grade of the second class," passed May 11th, 1886, and the amendments thereof passed April 15th, 1889, be and they are hereby repealed.

SECTION 15. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*

ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 14, 1893.  
126G

[House Bill No. 394.]

### AN ACT

To provide a license on certain trades, business and professions carried on in cities of the first grade of the second class, and to provide for the enforcement and collection of fines and penalties for carrying on said business, trade or profession without license, and for other purposes.

[COLUMBUS.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in cities of the first grade of the second class no person shall engage in any trade, business or profession hereinafter named, own and use any vehicle hereinafter named on the streets of said city until he or she shall have obtained a license therefor, as hereinafter provided.

SECTION 2. Any person who shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than five hundred dollars nor less than twenty-five dollars, or by imprisonment for not more than three months or both.

SECTION 3. No license granted or issued under this act or any of its provisions, shall be in any manner assignable or transferable, nor shall the license granted be applicable to or refer to any other person, firm or corporation than named therein, without the permission of the auditor of the city.

SECTION 4. Every person having a license under the provisions of this act shall exhibit the same in a conspicuous place in his or her place of business, and shall produce and return the same when applying for a renewal, and shall produce and show the same when requested so to do by any municipal officer or any member of the police force.

SECTION 5. All licenses issued for a full year shall be dated from the first day of April or October of each year, and all licenses issued for a lesser period shall plainly state the term for which the license holds good.

SECTION 6. If at any time it shall appear to the satisfaction of the mayor of such city that any licensed person has violated any of the pro-

visions of this act, he, the mayor, shall revoke his or her license, and such licensed person shall cease to have any authority thereunder.

SECTION 7. The conviction and punishment of any person for transacting any business or for owning or using a vehicle on the streets of said city without a license, shall not excuse or exempt such person from the payment of any license fee due or unpaid at time of such conviction.

SECTION 8. Keepers of public dance-houses or ball-rooms shall pay a license fee of one hundred dollars per annum, or five dollars for each night or day so used; except halls used by the members of the G. A. R., Union Veterans' Union, and Sons of Veterans, provided that no license shall be issued under this section without the consent of the mayor of the city, who may remit such license fee, if in his judgment the room or hall is not kept and used for public dances, within the meaning of this act.

SECTION 9. Every person, firm or corporation engaged in emptying or cleaning, or removing the contents of privy vaults shall pay a license of twenty-five dollars per annum.

SECTION 10. Every person or firm keeping an intelligence or employment office shall pay a license fee of fifty dollars per annum.

SECTION 11. Every person or firm keeping a pawnbroker's shop shall pay a license of two hundred dollars per annum.

SECTION 12. Every person or firm operating a billiard table or pool table shall pay a license of ten dollars for one table and five dollars for each additional table per annum.

SECTION 13. Every person or firm owning or operating a circus or menagerie shall pay a license of fifty dollars for each day on which they may exhibit and operate the same.

SECTION 14. Every person or firm owning or operating a side show, concert, musical or minstrel entertainment, exhibitor of freaks of nature or monstrosities shall pay a license of fifteen dollars per day; provided, that no license shall be issued under this section without the consent in writing of the mayor of the city. Provided, that no license shall be asked for or paid for any musical or other entertainment given by amateurs or for the benefit of a religious or benevolent institution.

SECTION 15. Every person, owner or lessee of any theater or concert hall shall pay a license of two hundred dollars per annum, or one hundred and fifty dollars for six months, or fifty dollars per month, or five dollars for each day.

SECTION 16. Every person or firm owning or operating a shooting gallery or ball throwing game or cane rack shall pay a license of fifty dollars per year, or ten dollars per month.

SECTION 17. Every person peddling or hawking any wares, goods, merchandise or produce from vehicles drawn by two horses, shall pay a license of twenty-five dollars per annum; from vehicles drawn by one horse, twenty dollars per annum; from hand or push carts, fifteen dollars per annum; and from basket or by hand, ten dollars per annum. Provided, that the auditor of the city may issue a license under this section for a lesser period than one year at an increased rate as he may deem just and reasonable. Provided further, that any person selling the products of his own raising or goods of his own manufacture shall not be liable for any license for selling, hawking or peddling the same in any manner on the streets and alleys of said city.

SECTION 18. Every person or firm engaged in or carrying on the business of bill posting and distributing shall pay a license of twenty-

five dollars per annum. Provided, that this section shall not interfere with persons engaged in any other business or profession from advertising and distributing bills relating to their own business exclusively.

SECTION 19. Advertising sign painters shall pay a license of twenty-five dollars per annum.

SECTION 20. Every street musician shall pay a license of five dollars per month for each instrument used and played upon in the streets and alleys of said city.

SECTION 21. Every person or firm engaged in the business of buying and selling railroad tickets shall pay a license of fifty dollars per annum. Provided, that this section shall not interfere with the sale of railroad tickets by the railroad companies or their accredited agents and employees.

SECTION 22. Each person or firm engaged in the business of or keeping a second-hand store shall pay a license of fifty dollars per annum.

SECTION 23. Owners, lessees or keepers of race courses or ball grounds shall pay a license of one hundred and fifty dollars per year or one hundred dollars for six months.

SECTION 24. Astrologers, fortune tellers, clairvoyants, palmsters and seers shall pay a license of two hundred dollars per annum.

SECTION 25. The owners of all vehicles used on the streets of the said city shall pay annual licenses as follows:

For each one-horse buggy or carriage for private use or hire, \$2.00; for each two-horse buggy or carriage for private use or hire, \$5.00; for each one-horse sulky, \$2.00; for each cab or carriage for public hire, \$10.00; for each one-horse dray or truck, \$5.00; for each one-horse cart, \$5.00; for each baggage wagon, \$10.00; for each omnibus, \$15.00; for each two-horse wagon not otherwise mentioned, \$10.00; for each four-horse wagon not otherwise mentioned, \$20.00; for each one-horse express or delivery wagon for private or public use, \$5.00; for each two-horse express or delivery wagon for private or public use, \$10.00; for each one-horse dairy wagon, \$5.00; for each two-horse dairy wagon, \$10.00; for each two-horse transfer wagon, truck, dray or furniture car, \$10.00; for each four-horse transfer wagon, truck, dray or furniture car, \$20.00; and it shall be the duty of the city auditor to furnish each person or corporation securing a license under this section a metallic plate or device for each and every vehicle for which the license is paid, and the same shall be securely affixed to the vehicle, so licensed by the licensee so that said plate or device may be readily seen. Provided, that none of the provisions of this section shall apply to persons who market, sell, hawk or peddle the product of their own raising, nor to any person or persons living out of said city, coming into the city in any buggy, sulky, carriage or other vehicle. Also provided that any individual, firm or company having in possession more vehicles than regularly used, exceeding five in number, may pay the license fee herein required, upon the vehicles used each day, by making a sworn statement of the number and kind of vehicles, and the city auditor or director of accounts may direct in what manner the metallic device shall be placed for the vehicles thus used. Provided further, that it shall be unlawful to haul or cause to be hauled any vehicle loaded with more than three tons burden at any one time, unless the load be of one mass and incapable of subdivision, in which case the same shall be hauled in a wagon provided with tires not less than four inches wide.

SECTION 26. All moneys received for licenses from vehicles of all descriptions shall be placed to the credit of the fund for repair and cleaning of streets. All other moneys received for licenses under this act shall be placed to the credit of the general expense fund.

SECTION 27. It shall be the duty of the auditor of the city and his deputies, in connection with the mayor and the police department of said city, to enforce the payment of licenses, and to examine all places of business and persons liable to pay licenses and to see that such licenses are taken out and that no business is done other than described in such licenses.

SECTION 28. Every person, owner of any vehicle used on the streets of said city, or engaged in any trade, profession or business for which a license is imposed by this act, shall make to the auditor of said city, at the time of applying for such license, a statement of such facts as may be applicable to said license. The auditor of said city shall then issue to said applicant a certificate which shall state the kind of license applied for, the amount required by law for said license and the fund in which said license fee is to be placed; and shall have said certificate approved by the mayor when such approval is required by this enactment. Provided, that if any person or persons have paid into the city treasury, any money or moneys for a license similar to the license applied for, and which license shall not have expired, at the time this act goes into effect, then the auditor shall deduct from the amount to be paid so much as shall be in the same proportion as the unexpired term of said license may bear to the time for which said license was issued. Said certificate shall be delivered by the applicant to the city treasurer, who, on receipt of the amount of money stated therein, shall place said money to the credit of the proper fund and shall give the applicant a receipt for the money received. The applicant shall then return the said receipt to the auditor of said city who shall, in return, issue to the applicant the proper license.

SECTION 29. The auditor of said city shall keep a record of all licenses issued under this act, in books prepared for that purpose, in which books he shall make entries as follows:

The name of party receiving license.

The residence of party receiving license.

The kind of license issued.

The number of license issued.

An alphabetical list of names of persons receiving licenses, with their residence, date of issue of license, amount of license fee paid and consecutive number of said license.

SECTION 30. It shall be the duty of all members of the police department, and other officers clothed with police powers in said city, to enforce the provisions of this act.

SECTION 31. All acts or parts of acts, and all ordinances or parts of ordinances in cities of the first grade of the second class conflicting with any of the provisions of this act are hereby repealed.

SECTION 32. This act shall take effect and be in force from and after April 1st, 1893.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed March 14, 1893.

127G

[House Bill No. 1132.]

## AN ACT

To authorize cities of the first grade of the second class to construct main trunk sewers, and to borrow money and issue bonds to pay for the same.

[COLUMBUS.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city councils of cities of the first grade of the second class be and they are hereby authorized and empowered to construct and maintain main trunk sewers, between such points as the city councils of such cities may determine, to carry off the sewage of such cities, or any part thereof, to a proper and convenient point.

SECTION 2. That for the purpose of raising funds to pay for the construction of such sewers, the city councils of said cities be and they are hereby authorized and empowered to issue the bonds of such cities in an amount not exceeding one hundred and ten thousand dollars. Said bonds shall be issued whenever said city councils may determine that they are necessary for such purpose, and in denominations of one thousand dollars each, and shall be payable not exceeding twenty-five years from their dates. Said bonds shall be designated as "main trunk sewer bonds," and shall bear such rate of interest, not exceeding five per centum per annum, payable semi-annually, as the city council of the respective cities issuing them may determine; and said bonds shall, in all respects, be made and disposed of as provided by law.

SECTION 3. That the city councils of the cities which avail themselves of the provisions of this act shall levy, annually, on all the taxable property of such cities, a tax sufficient in rate and amount to pay the accruing interest on said bonds and to provide a sinking fund to pay said bonds at maturity, and such levy may be additional in rate and amount to the taxes authorized by law to be levied for any and all other purposes.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 14, 1893.  
131G

[House Bill No. 1160.]

## AN ACT

To authorize the commissioners of Franklin county, Ohio, to construct a bridge and approaches thereto across Alum creek.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of county commissioners of Franklin county, Ohio, be and they are hereby authorized to remove the old bridge across Alum creek on the road leading west from Westerville in Blendon township, Franklin county, Ohio, and to construct a new bridge on the same site, together with the proper and necessary approaches thereto, at a cost not to exceed the sum of twenty-five thousand dollars; provided, that they

shall at the same time improve, widen and grade the roadway on each side of said bridge leading to said approaches; and, in the exercise of their powers and the performance of their duties in that behalf, they shall be governed by the general statutes on that subject, except in so far as their powers and duties are prescribed by this act.

SECTION 2. For the purpose of raising money to defray the expenses for removing said old bridge, constructing said new bridge, together with such approaches, and improving, widening and grading such roadway, said commissioners are hereby authorized and empowered to issue and sell the bonds of said Franklin county, Ohio, according to law, in sums not less than one thousand dollars each, bearing interest at the rate of six per cent. per annum, payable semi-annually, and not to exceed in the aggregate the sum of twenty-five thousand dollars; and said commissioners are further authorized and empowered to levy a tax on all the property on the tax duplicate of said county, to pay said bonds as they mature, and the interest thereon, and at such rate and for such length of time as may be necessary for that purpose.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed March 17, 1893.

148L

[House Bill No. 686.]

### AN ACT

To amend section 31 of an act entitled "An act to create a board of public works in and making certain changes in the government of cities of the first grade of the second class," passed April 3, 1890.

[COLUMBUS.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 31 of an act entitled "An act to create a board of public works in, and making certain changes in the government of cities of the first grade of the second class," passed April 3, 1890 (87 Ohio Laws, 156), be amended so as to read as follows:

Sec. 31. The revenues of the water-works shall be expended by said board, and contracts for water-works purposes shall be made by it only.

SECTION 2. Original section 31, as passed April 3, 1890, is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after January 1st, 1894.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed March 17, 1893.

145G

[House Bill No. 1146.]

## AN ACT

To authorize the board of education of the special school district known as the Saint Clair special school district, Marion township, Franklin county, Ohio, to issue bonds to purchase a site and erect a new school building.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the Saint Clair special school district of Marion township, Franklin county, Ohio, be and is hereby authorized to purchase a suitable site and erect thereon a school-house, and furnish the same at a cost not exceeding thirty thousand dollars, the said school-house to be located at such place as will best accommodate the majority of the people of the district.

SECTION 2. To provide for the expense of such site and school-house, the board of education is hereby authorized to issue bonds, signed by the president and countersigned by the clerk of said board, in sums of not less than one hundred dollars each, bearing interest not to exceed six per cent. per annum, payable semi-annually, on or before the first days of April and October of each year, the time of payment on the last of said bonds falling due not to be later than April 1, 1923, as the board of education may determine; provided, that none of said bonds shall be sold for less than their par value, and the proceeds shall not be applied to any other purpose than as specified in section one of this act.

SECTION 3. The said board of education is hereby authorized to levy a tax, annually, on all property of said special school district, as shown by the tax duplicate thereof, sufficient to pay said bonds, together with the interest thereon as they fall due, which levy shall be placed on the tax duplicate by the auditor of said county, and collected as other taxes, and said levy shall be in addition to the other taxes authorized by law.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed March 22, 1893.

153L

[House Bill No. 1505.]

## AN ACT

To authorize the commissioners of Franklin county, Ohio, to grade and improve the road leading from Gahanna to the township and village cemetery in Mifflin township in said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Franklin county, Ohio, be and they are hereby authorized to grade and improve the road leading from Gahanna to the township and village cemetery, beginning at the west end of the bridge across Big Walnut creek, thence west over Columbus and Johnstown road to Adam Reeb's west line, thence north on the county road to north gate of cemetery in Mifflin township in said county.

SECTION 2. For the purpose of raising money to defray the expense of grading and widening approach to west end of bridge and improving said road, said commissioners are hereby authorized and empowered to issue and sell the bonds of said Franklin county, according to law, bearing interest at a rate not to exceed six per cent. per annum, payable semi-annually, and not to exceed in the aggregate the sum of ten thousand dollars, and said commissioners are further authorized and empowered to levy a tax on all the property on the tax duplicate of said county to pay said bonds as they mature and interest thereon, at such rate and for such length of time as may be necessary.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed March 22, 1893.  
167L

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[House Bill No. 1610.]

### AN ACT

To authorize the commissioners of Franklin county to improve the roadway from Reynoldsburg to the Silent Home cemetery, and to pave the sidewalk on said roadway from the south corporation line of Reynoldsburg to the south line of said county [cemetery].

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Franklin county be and they are hereby empowered to grade, improve or macadamize the roadway leading from Reynoldsburg to Silent Home cemetery, and to pave and curb the sidewalk along said roadway from the south corporation line of Reynoldsburg to the south line of said cemetery grounds.

SECTION 2. For the purpose of raising money to defray the expense of said grading or improving or macadamizing, or paving and curbing, the said commissioners are empowered and directed to issue and sell the bonds of the said Franklin county according to law; said bonds to bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, and not to exceed in amount the sum of one thousand dollars; and said commissioners are authorized and directed to levy a tax on all of the property on the tax duplicate of said county, to pay said bonds as they mature, as well as the interest thereon, at such rate and length of time as may be necessary.

SECTION 3. This act shall be in force and take effect on and after its passage.

ELVERTON J. CLAPP,  
*Speaker pro tem. of the House of Representatives*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate*

Passed March 30, 1893.  
225L



[House Bill No. 1657.]

## AN ACT

To authorize the commissioners of Franklin county, Ohio, to appropriate and use moneys in the bridge fund for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Franklin county, Ohio, be and they are hereby authorized and empowered to appropriate and use from any money in the bridge fund, not heretofore appropriated and used, a sum not to exceed two thousand dollars to construct a levee beginning at the east end of Columbus street in the village of Canal Winchester in said county; thence south along the Columbus and Lancaster road to the north approach to the bridge across Walnut creek.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,  
*Speaker pro tem. of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed March 30, 1893.  
230L

[House Bill No. 1702.]

## AN ACT

To provide for the payment of councilmen in cities of the first grade of the second class.

[COLUMBUS.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That councilmen in cities of the first grade of the second class shall be paid the sum of five dollars (\$5.00) per night for each regular or special session thereof attended by such councilmen, provided that no councilman shall receive as pay for such attendance more than two hundred and fifty dollars in or during any fiscal year. Provided, however, that no councilman shall receive pay for his services as such for any such regular or special session thereof, unless he be present during such entire regular or special session of such council and during the entire session of any adjournment thereof and respond to the call of his name upon the roll call, which shall be made at the beginning and immediately before the adjournment of such session, and said compensation shall be in full for any regular or special session of said council and any adjournment thereof.

SECTION 2. Said payments shall be made monthly and shall be provided for by ordinance setting forth the names of the councilmen entitled thereto, and the meetings attended by them, and the amounts to which they are entitled. Before the passage of such ordinance, the clerk of said city shall indorse thereon his certificate, certifying that the names, meetings and amounts therein specified are correct, and he and his bondsmen shall be personally liable for any incorrectness in such certificate.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 11, 1893.  
242G

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[House Bill No. 1356.]

### AN ACT

To authorize cities of the first grade of the second class to borrow money and issue bonds for deficiencies in the fire department of such cities and for fire department purposes.

[COLUMBUS.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That councils of cities of the first grade of the second class be and they are hereby authorized and empowered to issue the bonds of such cities in an amount not to exceed one hundred thousand dollars (\$100,000.00), for the purpose of meeting deficiencies that may exist in the fire department funds of said cities, and for the purpose of building and equipping fire engine-houses and cisterns or reservoirs in said cities; said bonds shall be issued in such denominations not exceeding one thousand dollars (\$1,000) each, as the said councils may determine, and shall be payable in not to exceed twenty years from their date. All of said bonds shall bear such rate of interest, not to exceed five per cent. per annum, payable annually or semi-annually, as said councils may determine; and said bonds shall in all respects be made and disposed of as provided by law.

SECTION 2. The said councils shall levy, annually, on all the taxable property in said cities a tax sufficient in rate and amount to pay the interest that shall accrue on such bonds when the same shall become due and payable, and to provide a sinking fund to pay said bonds at maturity; and such levy shall be additional in rate and amount to the taxes authorized by law to be levied for any and all other purposes.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,  
*Speaker pro tem. of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 12, 1893.  
245G

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[House Bill No. 1426.]

### AN ACT

To authorize the commissioners of Franklin county, Ohio, to construct a bridge and approaches thereto across Alum creek.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of county commissioners of Franklin county, Ohio,

be and they are hereby authorized to remove the old bridge across Alum creek on the Columbus and Sunbury turnpike in Mifflin township in said county, and to construct a new bridge on the same site, together with the proper and necessary approaches thereto, at a cost not to exceed the sum of twenty-five thousand dollars; provided, that they shall at the same time improve, widen and grade the roadway on each side of said bridge leading to said approaches; and in the exercise of their powers and the performance of their duties in that behalf, they shall be governed by the general statutes on that subject, except in so far as their powers and duties are prescribed by this act.

SECTION 2. For the purpose of raising money to defray the expenses for removing said old bridge, constructing said new bridge, together with such approaches, and improving, widening and grading such roadway, said commissioners are hereby authorized and empowered to issue and sell the bonds of said Franklin county, Ohio, according to law, in sums not less than one thousand dollars each, bearing interest at the rate of six per cent. per annum, payable semi-annually, and not to exceed in the aggregate the sum of twenty-five thousand dollars; and said commissioners are further authorized and empowered to levy a tax on all the property on the tax duplicate of said county, to pay said bonds as they mature, and the interest thereon, and at such rate and for such length of time as may be necessary for that purpose.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 6, 1893.  
259L

[House Bill No. 1609.]

### AN ACT

To amend an act entitled "An act to provide a license on certain trades, business and professions carried on in cities of the first grade of the second class, and to provide for the enforcement and collections of fines and penalties for carrying on said business, trade or profession without license, and for other purposes."

[COLUMBUS.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections 2, 9, 24 and section 26 of an act entitled "An act to provide a license on certain trades, business and professions carried on in cities of the first grade of the second class, and to provide for the enforcement and collection of fines and penalties for carrying on said business, trade or profession without license and for other purposes, be amended to read as follows:

Sec. 2. Any person who shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction hereof shall be punished by a fine of not more than five hundred dollars nor less than twenty-five dollars.

Sec. 9. Every person, firm, or corporation engaged in emptying or cleaning or removing the contents of privy vaults shall pay a license of ten dollars per annum.

Sec. 24. Astrologers, fortune-tellers and palmsters shall pay a license of two hundred dollars per annum.

Sec. 26. All moneys received for licenses from vehicles of all descriptions shall be placed to the credit of the fund for the repair of streets. All other moneys received for licenses under this act shall be placed to the credit of the general expense fund.

SECTION 2. That said original sections 2, 9, 24, and 22 and 26 be and are hereby repealed.

SECTION 3. That this act shall take effect and be in force on and after April 1st, 1893.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 13, 1893.  
261G

[House Bill No. 1676.]

### AN ACT

To authorize the commissioners of Franklin county, Ohio, to construct a viaduct and approaches thereto.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of county commissioners of Franklin county, Ohio, be and they are hereby authorized to build a viaduct over and across the railroad tracks at the intersection of St. Clair avenue with the tracks of the Pittsburg, Cincinnati, Chicago and St. Louis railway company, the Baltimore and Ohio railroad company, the Cleveland, Akron and Columbus railway company, and the Norfolk and Western railway company, at or near the northeast corporation line of the city of Columbus, in said county, together with the necessary and proper approaches thereto; provided, that in the exercise of their powers and the performance of their duties in that behalf, said board of county commissioners shall be governed by the general statutes on that subject, except in so far as their powers and duties are prescribed by this act.

SECTION 2. For the purpose of raising money to defray the expenses of constructing such viaduct, together with the approaches thereto, said commissioners are hereby authorized and empowered to issue and sell the bonds of said Franklin county, Ohio, according to law, in sums of not less than one thousand dollars each, bearing interest at the rate of six per cent. per annum, payable semi-annually, and not to exceed in the aggregate the sum of sixty thousand dollars; and said commissioners are further authorized and empowered to levy a tax upon all the property on the duplicate of said county, to pay said bonds as they may mature, and the interest thereon, at such rate and for such length of time as may be necessary for the purpose.

SECTION 3. This act shall take effect and be in force from an after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representative*  
ELBERT L. LAMPSON,  
*President pro tem. of the Sena*

Passed April 11, 1893.  
269L

[House Bill No. 1264]

## AN ACT

To authorize cities of the first grade of the second class to borrow money and issue bonds for the purpose of constructing sewers and levees to protect sewers.

[COLUMBUS.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city councils of cities of the first grade of the second class be and they are hereby authorized and empowered for the purpose of raising funds to pay the costs of sewers and of levees for the protection of sewers, to issue the bonds of such cities in any amount not exceeding seventy thousand dollars. Said bonds shall be issued whenever said city councils shall determine that they are necessary for said purpose, and in denominations of one thousand dollars each, and shall be payable at any time not exceeding twenty years from their date. Said bonds shall be designated as the councils of such cities may direct, and shall bear such rate of interest not exceeding five per cent. per annum, payable semi-annually, as the city council of the respective cities issuing them may determine. And said bonds shall in all respects be and disposed of as provided by law.

SECTION 2. That the city councils of cities which avail themselves of the provisions of this act, shall levy annually on all the taxable property of such cities a tax sufficient in rate and amount to pay the accruing interest on said bonds, and to provide a sinking fund to pay said bonds at maturity; and such levy may be additional in rate and amount to the taxes authorized by law to be levied for any and all other purposes.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*

ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 18, 1893.  
283G

[House Bill No. 1763.]

## AN ACT

To authorize the commissioners of Franklin county to levy a tax for the building, construction and erection of a morgue.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Franklin county, in addition to their other powers of taxation, be and are hereby authorized to assess and collect upon the grand duplicate of the taxable property of said county, a

tax not exceeding one-tenth of a mill on the dollar, which shall be assessed in the year 1893, to be applied to the building, construction and erection of a morgue; said building, construction and erection of said morgue to be carried out under the joint supervision of said commissioners and the coroner of Franklin county.

SECTION 2. Said morgue may be erected on any lot purchased or otherwise secured for said morgue, by the commissioners and coroner of said county, within the corporate limits of the city of Columbus, Franklin county. When said morgue is completed, it shall, by resolution of the board of county commissioners, be placed in charge of the coroner of said county. Said morgue shall be maintained, cared for and kept in good repair as other county property by and under the direction of the commissioners of said county of Franklin. And for said purpose of purchasing a lot on which to build said morgue and for maintaining and keeping said morgue in repair, the said commissioners are authorized to appropriate any surplus remaining in the fund herein created to build, construct and erect said morgue.

SECTION 3. This act shall be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 18, 1893.

307L

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[House Bill No. 1853.]

## AN ACT

To authorize the commissioners of Franklin county, Ohio, to grade and improve a portion of the Columbus and Delaware road lying within Franklin county, commencing at the county line and extending about one and one-sixteenth of a mile southward.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Franklin county, Ohio, be and are hereby authorized to grade and improve the hills known as Slate Hill, and building culverts on that part of the Columbus and Delaware road, commencing at a point where the county line between said counties of Franklin and Delaware cross said road, thence southward a distance of about one and one-sixteenth of a mile to the point where the same is now improved.

SECTION 2. For the purpose of raising money to defray the expenses of grading and improving said road as aforesaid, said commissioners are hereby authorized and empowered to issue and sell the bonds of said Franklin county, Ohio, according to law, bearing interest at the rate of six per cent. per annum, payable semi-annually, and not to exceed in the aggregate sum ten thousand dollars; and they are further authorized and

empowered to levy on the tax duplicate of said county to pay said bonds as they mature, and interest thereon, at such rate and for such length of time as may be necessary, a tax not to exceed one-fiftieth ( $\frac{1}{50}$ ) of a mill in any one year, on said taxable property of said county.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 24, 1893.  
358L

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[House Bill No. 1595.]

### AN ACT

Fixing the compensation of directors of infirmaries in counties containing a city of the first grade of the second class.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, Each director of the county infirmary in counties containing a city of the first grade of the second class, shall receive the sum of seven hundred and fifty dollars per annum for their services in attending the regular and called meetings of the board and for the transaction of any other business pertaining to the infirmary, which shall be paid monthly out of the county treasury on the warrant of the county auditor, in addition to the sum now authorized by law to be allowed and paid such directors.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 27, 1893.  
429G

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[House Bill No. 1659.]

### AN ACT

To provide for the erection of an armory and market building in cities of the first grade of the second class, and to repeal an act therein named.

[COLUMBUS.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the mayor of cities of the first grade of the second class, and

the commissioners of any county containing a city of such grade or class, shall appoint a commission of five members, citizens of such county, to be known as the "armory and market building commission," three members of which commission shall be appointed by such county commissioners, and two by the mayor, for the term of three years, and until their successors are appointed and qualified. All vacancies in such commission shall be appointed by the board or the mayor, as the case may be, originally appointing the person whose place becomes vacant for the unexpired term. And thereafter, at intervals of three years, five members of such commission shall be appointed in the manner provided for such appointments in the first instance, to serve three years.

SECTION 2. The members of such commission shall give bond in the sum of five thousand dollars, with sureties to the approval of the board or the mayor appointing them, and take an oath of office. Such commission shall, within ten days after their appointment, organize by the election of a president and secretary from their own members, and shall adopt a code of rules and regulations for their own government. They shall have power to appoint a clerk, architect, superintendent and other necessary employes and fix their compensation, which shall be paid out of funds in the county treasury to the credit of said commission upon the warrant of the county auditor. And the members of said commission shall be paid their necessary expenses from the same source in the same way.

SECTION 3. Said commission shall erect and furnish, within such city of the first grade of the second class, an armory and market building, such portion of the first story of which, as the commission shall set apart and designate, shall be used exclusively for market purposes, and the remainder of such building shall be maintained under the control and direction of such commission, for the free use of the resident Ohio national guard, local posts of the grand army of the republic, and other organizations composed of the surviving soldiers and sailors of the war of the rebellion in such county, and other public assemblies.

SECTION 4. Any existing market space or place in such cities may be selected and utilized by such commission as a site for such building, and in case it be found necessary to remove any existing building or buildings that may be found upon such market space such commission may receive competitive bids for the purchase and removal of the same, under such conditions and regulations as the commission may prescribe, and the proceeds arising from such sale shall be deposited in the county treasury to the credit of such commission.

SECTION 5. If, in the opinion of the commission, the market space so selected for such site is insufficient in area for the purpose of such building, it shall have authority to purchase or to appropriate such adjacent lots and lands, as it may deem necessary for such purpose, by a proceeding, instituted in the name of such commission, which, for the purposes of such proceeding, shall be deemed and considered a corporation against the owner of such lots and lands, in the probate court of such county, and such proceeding, and the appropriation of such property shall be governed by the provisions contained in chapter eight of title two of part third of the Revised Statutes of Ohio; but no such lots or lands shall be taken until the owner thereof has first been compensated therefor in money. And the title to the property so purchased or appropriated sha



ever be held in trust by said commission for the uses and purposes of such armory and market building.

SECTION 6. The portion of the first story of such building which may be set aside and designated for market purposes, as hereinbefore provided, shall always be used for market purposes, and shall be under the control and direction of the authorities of such cities of the first grade of the second class, having charge of the markets and market spaces thereof.

SECTION 7. In the letting of the contract or contracts for the construction of such building, including the materials and labor therefor, said commission shall be governed by the provisions of the statutes relating to the construction of public buildings, and especially the provisions contained in chapter one of title seven or [of] part one of the Revised Statutes and the acts amendatory of and supplementary thereto.

SECTION 8. The plans of such building shall be such as to provide for a drill room, so arranged as to serve also as an assembly hall for conventions and public assemblies, and other rooms requisite for the accommodation of the national guard, and for the safe keeping of the arms, equipments, uniforms and other military property furnished by the state, and rooms in which to preserve relics and mementoes of war and for the use of the grand army posts and other organizations of ex-soldiers and sailors, and may contain additional rooms for rental purposes, under the control of said commission for the purpose of providing revenue to meet the expense of maintaining such building; provided, however, that such plans shall be subject to the approval of the inspector of armories whose appointment is provided for in section 3085 of the Revised Statutes.

SECTION 9. For the purpose of raising money to defray the cost and expense of purchasing or appropriating such lots and lands and constructing and furnishing such building, the commissioners of such county shall issue and sell, according to law, the bonds of such county, amounting, in the aggregate, to the sum of seventy-five thousand dollars; and the board of public works of cities of the first grade of the second class shall issue and sell, according to law, the bonds of such cities, amounting, in the aggregate, to the sum of thirty-seven thousand and five hundred dollars; and the moneys arising from such sales of bonds shall be deposited in the treasury of such county to the credit of such "armory and market building commission" for the uses and purposes contemplated by this act.

SECTION 10. In the issuance, sale and redemption of such bonds, the county commissioners shall be governed by the provisions of sections 871, 872, 873, 874 and 875 of the Revised Statutes, except such bonds may be made to run for such length of time as such commissioners may deem proper, not exceeding fifteen years. Such bonds issued by the board of public works of such cities of the first grade of the second class shall be payable in not more than fifteen years, bear interest at a rate of not more than five per cent., payable semi-annually, and shall be signed by the mayor and the director of accounts or auditor, and have the corporation seal affixed thereto. In no case shall such city bonds be sold for less than their par value, and shall be sold to the highest and best bidder, after thirty days' notice in at least two newspapers of general circulation in the county in which such cities may be situated, stating the rate of interest and length of time the bonds have to run, with time and place of sale; and additional notice may be published outside of such county.

To pay the principal and interest on such bonds, the councils of such cities shall, annually, levy upon all the taxable property of such cities, a tax sufficient in rate and amount to pay the interest and provide a sinking fund to pay such bonds at maturity, and such tax may be additional in rate and amount to all other taxes authorized to be levied by such cities for any and all other purposes.

SECTION 11. That the act passed March 21, 1887, entitled "An act to provide for the erection of a memorial armory building in the county of Franklin, and to create a fund to pay for and maintain the same," be and the same is hereby repealed.

SECTION 12. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 27, 1893.  
481G

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## FULTON COUNTY.

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[House Bill No. 871.]

### AN ACT

To divide York township, Fulton county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That York township, Fulton county, Ohio, be divided into two election precincts as follows, to wit: Commencing at the northeast corner of said township, thence west along the north line thereof to the northwest corner of said township, thence south along the west line of said township two and one-half miles to the quarter line of section nineteen in said township, thence east along said quarter line to the east line of said township, thence north on east line of the township to place of beginning; all that part of said York township within the boundary lines above given shall be called the north precinct of York township with the voting place to be in the village of Delta, Ohio. The remainder of said township shall constitute a voting precinct to be known as the south precinct of York township with the voting place to be at Plattson, or other place in said precinct fixed by the trustees of said York township.

SECTION 2. This act to take effect and be in force on and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate*

Passed February 16, 1893.  
66L

[Senate Bill No. 491.]

## AN ACT

To authorize the trustees of Fulton township, Fulton county, Ohio, to raise funds for the purpose of improving the cemeteries of said township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of the township of Fulton, county of Fulton, and state of Ohio, are hereby authorized to issue and sell the bonds of said township in any amount not exceeding five hundred dollars. The said bonds shall be issued according to law, and sold at not less than par value, shall be in denominations not exceeding one hundred dollars each, shall mature in not to exceed five years from their date and draw a rate of interest not to exceed six per cent. per annum. The proceeds of the sale of said bonds shall be used in the purchase of additional land to the present cemetery grounds and in improving and embellishing the same.

SECTION 2. If the said bonds are issued and sold, the trustees of said township are hereby authorized to levy a tax on all the taxable property of said township, in addition to that now authorized by law, not to exceed one-half mill on the dollar, and sufficient to pay the interest and principal of said bonds as the same may mature.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 22, 1893.  
150L

[House Bill No. 1428.]

## AN ACT

To authorize the board of education of Swancreek township, Fulton county, to borrow money to pay for the erection of a school-house in said township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Swancreek township, Fulton county, Ohio, be and is hereby authorized and empowered to borrow money in any sum not to exceed five hundred and seventy dollars (\$570.00), at a rate of interest not to exceed seven per cent. per annum, for the purpose of building a school-house in subdistrict number eleven of said township. The said loan to be made in anticipation of the regular levy for school purposes in said township for the year 1893, and to be paid from the proceeds of said levy when the same or a sufficient part thereof has been received by the township treasurer.

SECTION 2. This act shall be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed March 22, 1893.  
159L

[House Bill No. 1321.]

## AN ACT

To authorize any municipal corporation which at the last federal census had or which at any subsequent federal census may have a population of not less than 1,125 nor more than 1,135 to issue bonds to purchase a site and erect a building for town hall and other purposes.

[DELTA.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of any municipal corporation, which at the last federal census had or which at any subsequent federal census may have a population of not less than 1,125 nor more than 1,135, be and hereby is authorized to issue the bonds of said village in the sum of twelve thousand dollars (\$12,000), for the purpose of purchasing a site and erecting a building to be used as a town hall, for elections, for fire department and other purposes.

SECTION 2. Said bonds shall be issued in amounts not less than five hundred (\$500) dollars nor more than one thousand (\$1,000) dollars, and to run not less than 15 or more than 27 years, and to draw interest at a rate not to exceed 6 per cent. per annum. Said bonds, interest and principal to be paid at such times and places as the council of said village may by ordinance designate. Said bonds shall express on their face the amount of the bond, rate of interest, time of payment of bond and interest, the purpose for which issued and the act under which issued. Each bond shall be signed by the mayor and clerk of said village and no bond shall be sold for less than its face value. Any money remaining after paying for said site and building, from the sale of said bonds, shall be placed in the contingent fund of said corporation, to be expended as other contingent funds are, and the council of said incorporated village is hereby authorized to levy a tax on all the taxable property of said village, sufficient to pay both principal and interest of said bonds as the same may respectively become due.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 2, 1893.  
89G

## GALLIA COUNTY.

[House Bill No. 1133.]

## AN ACT

To authorize the council of the incorporated village of Crown City, Gallia county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Crown City, Gallia

county, Ohio, be and is hereby authorized to transfer one hundred dollars (\$100) from the general improvement fund to the school fund of Crown City village school district, Gallia county, Ohio.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed January 26, 1893.  
24L

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[House Bill No. 1429.]

### AN ACT

To create a special school district in Raccoon township, county of Gallia, state of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following described territory in the township of Raccoon, county of Gallia, state of Ohio, be and is hereby made and constituted a special school district, to wit: Beginning at the southeast corner of the southwest quarter of section 26; thence west 40 chains; thence north 20 chains; thence west 40 chains; thence south 20 chains; thence west 20 chains; thence north to the public road from Rio Grande to Centre Point; thence in a northeasterly direction along said road to a corner of the lands of Catharine J. Gross and Wm. Kling; thence west to the southwest corner of the southeast quarter of the northeast quarter of section 28; thence north 40 chains; thence west 20 chains; thence north 40 chains to center of section 21; thence east 20 chains; thence north 40 chains; thence east 20 chains to the northeast corner of section 21; thence north 40 chains; thence east 40 chains to center of section 15; thence south 40 chains; thence east 40 chains; thence south 40 chains; thence east 40 chains, to the center of section 23; thence south 120 chains to the beginning.

SECTION 2. Said special school district shall be entitled to receive its proportionate share of the school funds, and the funds levied for incidental expenses in accordance with the enumeration of the year 1892 of school children entitled to attend school; said funds being those now collected within the township or county treasuries, and shall be governed by such laws as are now, or may hereafter be, in force relating to special school districts; provided, there shall be elected in such special school district on the second Monday in April next, six (6) members of the board of education, two (2) to serve one (1) year, two (2) to serve two (2) years, and two (2) to serve three (3) years.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,  
*Speaker pro tem. of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 8, 1893.  
107L

[House Bill No. 1568.]

## AN ACT

To authorize the city council of any city in Ohio which at the last federal census had, or which may have at any subsequent federal census, a population of not less than four thousand four hundred and ninety-five nor more than four thousand five hundred, to construct a system of water-works for said city and to issue its bonds to provide for the payment of the same.

[GALLIPOLIS.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of any city in Ohio which at the last federal census had, or which may have at any subsequent federal census, a population of not less than four thousand four hundred and ninety-five nor more than four thousand five hundred, be and the same is hereby authorized and empowered to purchase or lease the necessary land and water privileges and to construct a system of water-works for, and to issue the bonds of said city, in any sum necessary to purchase or lease the necessary land and water privilege and to construct such system of water-works, but in no case to exceed eighty-five thousand dollars; such bonds to bear interest at a rate not to exceed five per cent. per annum, interest payable semi-annually, as the council of said city may by resolution or ordinance provide; said bonds to be issued at such time or times not exceeding one year from the passage of this act, and in such amounts and be of such denominations as such council may by resolution or ordinance provide. Said bonds to be made payable at such time or times and at such place or places as such council may by resolution or ordinance provide, but in no case to be less than five years, nor more than thirty years from the date of their issue, and which said bonds shall not be sold for less than their par value and accrued interest in cash; the proceeds of which said bonds shall be used for no other purpose than that of purchasing or leasing the necessary land and water privilege and constructing such system of water-works, and paying the expenses incident to such establishment, construction and completion. Said bonds shall be signed by the mayor and attested by the clerk of said city, and have the seal of each of said officers affixed; and when said bonds or any of them are sold, the proceeds thereof shall be paid to the treasurer of said city, who shall hold and disburse the same as other city funds are by him held and disbursed.

SECTION 2. If any bonds of said city be issued as herein provided, the council of said city is hereby authorized and required, annually thereafter, until the same and interest thereon shall be fully paid, to assess and levy a tax on all the taxable property within said city, sufficient, in addition to the taxes now or which may hereafter be authorized by law, to provide for the payment of interest accruing upon the bonds so issued, and also to provide, by means of a sinking fund or otherwise, for the payment of the principal of such bonds as they mature, which said levy shall be placed upon the tax duplicate of said county and collected as other taxes; provided, that said levy shall not in any one year exceed four mills on each dollar of property subject to taxation in said city. The net earnings of said water-works may be applied to the enlargement

or extension of the works or of the reservoirs, the payment of the interest of any loan made for their construction or for the creation of a sinking fund for the liquidation of the debt, as the council or board of water-works trustees of said city may from time to time by resolution order.

SECTION 3. Before such bonds are issued or tax levied, the question of issuing said bonds and the levying of the tax to pay said bonds, the same shall be submitted to a vote of the qualified electors of said city at a regular or special election called for that purpose, as the council of said city may order. Notice shall be given of the time and places of holding such election, in a newspaper of general circulation in said city, or by notice posted up at five of the most public places in said city. Those in favor of the construction of water-works and the issue of bonds shall have written or printed upon their ballots the words, "For the issue of bonds." Those opposed to the construction of water-works and the issue of bonds shall have written or printed upon their ballots the words, "Against the issue of bonds." The election shall be held in accordance with the election laws of the state, but the poll-book and returns thereof shall be made to the city clerk, who shall present them to the city council at its first regular or special meeting held after said election, when the same shall be opened and canvassed and the result declared and entered upon the minutes of said council. If it shall appear that a majority of the ballots cast at such election were in favor of water-works and the issuing of bonds, then the council of said city shall have the authority to issue the said bonds and levy the said tax as provided in this act, and not otherwise.

SECTION 4. Until the election and qualification of a board of water-works trustees as provided by statute, the council of said city is hereby vested with all the power and authority of a board of water-works trustees, and is hereby authorized and empowered to advertise for and accept the lowest and best bid received for the construction of said works or any part thereof, to make all contracts necessary for the construction, repair and management of said water-works; provided, that said council shall receive no salary or pay for said services, and the construction, control, repair and management of said water-works shall devolve upon the council of said city until a board of water-works trustees shall be duly elected and qualified; provided, that the council of said city have, prior to the passage of this act, or before the election and qualification of said board of water-works trustees, fully complied with the provisions of section 2419 of the Revised Statutes of Ohio, 1880, and for the purpose of carrying out more fully the provisions of this act, said council or board of water-works trustees shall not be governed in the execution thereof by sections 2683 or 2689a, but they shall be governed, however, by the provision of section 2702 of the Revised Statutes, so that no contract shall be entered into for the construction of said water-works until said bonds are sold and the money in the hands of the city treasurer.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed March 17, 1893.  
151G

## GEAUGA COUNTY.

[House Bill No. 1107.]

## AN ACT

To authorize the trustees of Parkman township, Geauga county, Ohio, to purchase a site and to erect a town hall thereon and to provide for the payment thereof.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Parkman township, Geauga county, Ohio, are hereby authorized to purchase a site and to erect thereon a town hall at a cost not to exceed six thousand dollars (\$6,000).

SECTION 2. To provide for the payment of said improvement, the said trustees are authorized to issue the bonds of said Parkman township in any sum not exceeding six thousand dollars, in such denominations, and be payable at such time or times as said trustees may determine. They shall bear interest not exceeding six per cent. per annum, payable semi-annually, and shall not be sold for less than their par value. They shall be signed by the trustees and countersigned by the clerk thereof.

SECTION 3. To provide for the payment of said bonds and interest thereon, the trustees shall levy a tax, in addition to the taxes now authorized by law, an amount each year, sufficient to pay the bonds as they become due, and the interest as it accrues.

SECTION 4. The question of issuing said bonds shall be submitted to the voters of said Parkman township, at a regular or special election, notice of which shall be given, by the township trustees, by posting notices thereof in three public places in said township, not less than ten days prior to said election. Those voting in favor of issuing such bonds shall have printed or written on their ballots the words "Authority to issue bonds—Yes;" and those against, the words "Authority to issue bonds—No;" and if a majority of the ballots cast at said election shall be in favor of said bonds, the trustees shall be authorized to issue such bonds and not otherwise.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed January 30, 1893.

33L

[House Bill No. 1479.]

## AN ACT

To authorize the commissioners of Geauga county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Geauga county, Ohio, are hereby



authorized and empowered to transfer the sum of ten thousand dollars (\$10,000) from the general or county fund to the bridge fund of said county.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 14, 1893.  
126L

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[ House Bill No. 1324.]

### AN ACT

To authorize the township trustees of any township which had, at the last federal census, a population of not less than six hundred and ninety, or which may have, at any future federal census, a population of not more than six hundred and ninety-five, to occupy and use for cemetery purposes certain lands which said township has bought and now owns.

[ MONTVILLE TOWNSHIP.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township trustees of any township which had, at the last federal census, a population of not less than six hundred and ninety, or which may have, at any future federal census, a population of not more than six hundred and ninety-five, are hereby authorized and empowered to occupy and use for cemetery purposes any land that has been bought by said township trustees for cemetery purposes, any act or part of an act that has heretofore been enacted notwithstanding.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed February 23, 1893.  
73G

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[ House Bill No. 1561.]

### AN ACT

To amend section 1 of an act entitled "An act to create road supervisors in certain counties," passed April 15, 1889 (vol. 86, p. 324), as amended April 2, 1891 (vol. 88, p. 268, O. L.).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section one of an act passed April 15, 1889 (vol. 86, p. 324), as

amended April 2, 1891 (vol. 88, p. 268, O. L.), be amended so as to read as follows:

Sec. 1. That in all counties in the state, which at the last federal census of 1880 had, or which at any subsequent federal census may have a population of 16,326 (Lake) and 14,255 (Geauga), the trustees shall, at their regular meeting, on the first Monday of March, divide their respective townships into road districts, not to exceed four in any one township; and annually thereafter, may make such alterations as they may deem proper, and the trustees shall, on the first Monday of April, A. D. 1893, and biennially thereafter, appoint one supervisor for each district, who shall hold his office for two years and until his successor is appointed and qualified. Each supervisor shall, within ten days after his appointment, take an oath or affirmation to faithfully, honestly and impartially discharge all the duties of his office, and shall enter into bonds payable to the state of Ohio in trust for the township in the penal sum of not less than five hundred dollars, with surety to be approved by the township trustees, conditioned to fulfill the requirements of said oath or affirmation. Said bonds to be recorded by the township clerk, and when forfeited in whole or in part, to be collected with the costs by the trustees in a civil action; and moneys so collected shall go into the road fund of the township to be expended as other moneys.

SECTION 2. That section 1 of the above recited act be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 27, 1893.  
186G

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[House Bill No. 1293.]

## AN ACT

To authorize the board of education of any township school district of any counties which by the last federal census had, and which by any subsequent federal census may have, a population of not less than 13,489 nor more than 13,500, or in any county which by the last federal census had a population of 18,235 nor more than 18,250, to establish and maintain one or more graded schools in such township district.

WHEREAS, The enumeration of children in many of the township sub-school districts has become so diminished as to necessitate a per capita expense disproportionate to the benefits secured; and

WHEREAS, It has been demonstrated that a graded school by classification, and the incentive to emulation incident to a larger congregation of pupils, furnishes the best facilities for rapid improvement; therefore,

**SECTION 1.** *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of any township school district, in any county which by the last federal census had and which by any subsequent federal census may have a population of not less than 13,489 nor more than 13,500, or in any county which by the last federal census had, or which by any subsequent federal census may have a population of not less than 18,235 nor more than 18,250, be and they are hereby authorized and empowered to establish and maintain one or more graded schools in such township district. They shall provide suitable buildings and such other contingencies as are necessary for the comfort and convenience of the school or schools, and employ such number of teachers as is required for a proper classification and instruction—at this central or graded school or schools, of all the school children enumerated in the township school district according to the provisions of law in force governing boards of education of township school districts.

**SECTION 2.** The school or schools shall be located at or as near the central part of the district as will be most convenient and practicable, and in addition to the powers now enjoyed, the board of education is hereby authorized to expend any sum not to exceed twenty-five per centum of the entire tax levy for school purposes in said district, in securing facilities whereby the pupils may be delivered at the central school and returned to their homes each day, and may contract with one or more persons for the performance of said duty.

**SECTION 3.** Before establishing such central or graded school, or schools, the board of education shall, at any regular election or special election called for the purpose, submit to the qualified electors of the said township district, the question of establishing such central or graded school; ten days' notice of the election shall be giving by posting notices thereof in three public places in each voting precinct of the district. Electors voting at such election in favor of establishing such central or graded school or schools, shall have written or printed on their ballots the words "For graded school—Yes;" those voting against shall have written or printed on their ballots the words "For graded school—No;" and if a majority of the ballots cast at such election be in favor of such central or graded school or schools, the board of education shall proceed to establish the same and not otherwise. And if the vote be in favor of such central graded school or schools, then the subdistrict schools of such township shall be discontinued and the amount of the school fund to be apportioned according to section 3964 of the Revised Statutes, and the amount of the contingent fund to be apportioned according to section 3967 of the Revised Statutes, be held by the township treasurer of such township subject to the order of the township board of education for the continuance and support of such central graded school or schools.

**SECTION 4.** This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 21, 1893.  
343G

## GREENE COUNTY.

[House Bill No. 921.]

## AN ACT

To authorize Miami township and Clifton school district in Greene county, Ohio, and Clifton school district in Clark county, Ohio, to unite in the purchase of a site and the erection of a town hall in the village of Clifton, Greene county, Ohio, and to issue bonds for the purpose of raising money therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That Miami township and Clifton school district, Greene county, Ohio, and Clifton school district, Clark county, Ohio, be and are hereby authorized to unite in the purchase of a site and the erection of a town hall in the said village of Clifton; said hall to be owned by Miami township, and the said school districts in proportions of one-third each as to actual cost of the same; to meet the payment of said bonds and the interest thereon, herein authorized to be issued, to raise money for said purpose, Miami township and the said school districts be and are hereby respectively authorized to levy a tax yearly so long as may be necessary on the taxable property in the said township, and in the said school districts, not exceeding two mills on the dollar, to be collected as other taxes, until the bonds and the interest herein provided for shall be paid.

SECTION 2. That Clifton school district, of Clark county, Ohio, is hereby authorized to issue and sell at private sale, at not less than par, the bonds of the said school district, not exceeding the sum of five hundred dollars, with interest not exceeding six per cent. per annum, payable semi-annually; the said bonds to be in sums not exceeding one hundred dollars each, payable at such place and in such number of years not exceeding ten as the said school district may determine.

SECTION 3. That Clifton school district and Miami township of Greene county, Ohio, be and are hereby authorized to issue and sell at private sale, at not less than par, the bonds of said school district and Miami township, to the amount of five hundred dollars each, in sums of one hundred dollars, with interest not exceeding six per cent. per annum, payable semi-annually; said bonds to be payable at such place and such number of years not exceeding ten, as the said township and school district may determine.

SECTION 4. On and after the passage of this act the directors of the school districts herein named and the trustees of Miami township shall issue the said bonds and levy a tax as provided for in this act; the money arising from the sale of the bonds issued by the school districts shall be paid into the treasury of each said school districts; the money arising from bonds sold by the township shall be paid into the treasury thereof, shall be paid out by the school districts and township as needed for the purposes provided for in this act.

SECTION 5. Said bonds shall not be issued nor tax levied for the same as herein provided until the question of building a town hall shall have first been submitted to the voters of said school districts and Miami township at a general or special election, of which at least ten days' notice shall have been given by publication in some newspaper of general circu-

lation in the township, and the school districts herein named; the said election to be held at the usual place of voting in said township and school districts, and at such time as the school directors and the trustees of said township may appoint. The tickets voted at such election shall have printed or written thereon the words, "For town hall—Yes," "For town hall—No." If the proposition for town hall shall be approved by a majority of all the voters voting at said election, the school directors herein named and the trustees of said township shall proceed to issue said bonds and levy said tax as provided for in this act.

SECTION 6. This act shall take effect and be in force after its passage.

L. C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed January 11, 1893.

2L

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[House Bill No. 1134.]

## AN ACT

To authorize the commissioners of Greene county, Ohio, to construct a free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Greene county, Ohio, be and are hereby authorized and required to build and construct a good and sufficient free turnpike on the following described road, known as the Hanley road, beginning at the corporation line on the east side of Bowersville in Jefferson township, running thence in a northeast direction a distance of about three miles to the intersection of the Blaintown and South Plymouth pike, to be improved by grading, graveling, building bridges and culverts.

SECTION 2. Thirty per centum of the entire cost and expenses of the construction of said pike shall be paid by a tax on all the taxable property, real and personal, within one mile on either side of said free turnpike road, and seventy per centum of the cost and expenses of the construction of said free turnpike, shall be paid by a tax on all the taxable property of the said county.

SECTION 3. The said county commissioners shall determine the time in which the said thirty per centum shall be paid, which shall not be less than five, nor more than ten years, and an equal part of said thirty per centum shall be levied and collected each year, and the said commissioners are authorized each year to make such levy upon all the taxable property within said taxing district, until the whole thirty per centum is fully paid, and they shall cause the same to be placed upon the tax duplicate and collected as other taxes; and said commissioners shall, in like manner, levy upon all the taxable property of the county, the seventy per centum of the cost and construction, so that the same will be paid in not less than five years, nor more than ten years.

SECTION 4. For the purpose of paying seventy per centum of the cost and expenses of the construction of said free turnpike road, the commissioners are hereby authorized to issue the bonds of the said county, bearing not to exceed six per cent. interest, payable semi-annually. The bonds shall be payable at such times as the commissioners may determine not exceeding ten years from the date thereof; said bonds shall not be sold for less than their par value; said bonds and interest shall be payable at the treasury of the said county, by order of the commissioners, on the warrant of the county auditor.

SECTION 5. The said county commissioners are hereby authorized to sell said road at public auction, or on sealed bids, as they may deem best, in sections of one-half mile each, or they may sell the same as a whole, as they think best for the public interest.

SECTION 6. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed February 3, 1893.

43L

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[House Bill No. 1040.]

### AN ACT

To authorize the commissioners of Greene county, Ohio, to make a certain road improvement.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Greene county, Ohio, are hereby authorized and required to cause such of the following described road to be improved as hereinafter stated; being part of the old national road leading from Xenia, Greene county, Ohio, to Washington Court House, Fayette county, Ohio, beginning at a point known as Blaintown Cross-roads in Silver Creek township, and terminating or intersecting with the turnpike road east of New Jasper on said road, making a distance of about four miles; the said road to be improved by grading, graveling, or macadamizing, building bridges and culverts; the grade of said road to be not less than eighteen feet in width.

SECTION 2. Thirty per cent. of the entire cost and expense of the construction of said free turnpike road, the interest thereon shall be paid by a tax on all taxable property, of real and personal, within one mile of said free turnpike, and seven y per centum of cost and expenses, the interest thereon shall be paid by a tax on all the taxable property of the said county.

SECTION 3. The said county commissioners shall determine the time in which the said thirty per centum shall be paid, which shall not be less than five years, nor more than ten years, and an equal part of

said thirty per centum shall be levied and collected each year, and the said commissioners are authorized each year to make such levy upon all the taxable property, within said taxing district, until the whole thirty per centum is fully paid, and they shall cause the same to be placed upon the tax duplicate and collected as other taxes, and they shall in like manner levy upon all the taxable property of the said county, the seventy per centum of the cost and expenses of the construction of said free turnpike road; so that the same will be paid in not less than five years nor more than ten years.

SECTION 4. For the purpose of paying seventy per centum of the cost and expenses of the construction of said free turnpike road, the commissioners of said county are hereby authorized to issue the bonds of the county, bearing not to exceed six per cent. interest, payable semi-annually; the said bonds to be payable at such times as the said commissioners may determine, not exceeding ten years from the date of same, and the said bonds shall not be sold for less than their par value, and may be issued in such amounts as the commissioners may determine. The bonds and interest shall be payable at the treasury of the said county.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed February 9, 1898.

50L

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[House Bill No. 1087.]

## AN ACT

To authorize the commissioners of Greene county, Ohio, to make a certain road improvement.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Greene county, Ohio, are hereby authorized and required to improve the new county road lately laid out and established, commencing at a point on what is known as the Valley road, near the creamery building on the said road, from the intersection of the said Valley road, to the corporation line at the south end of Monroe street in the city of Xenia. Said road to be improved by grading, graveling, or macadamizing, building necessary bridges and culverts. The said county commissioners, if in their judgment think proper, and that the interest of the traveling community would be accommodated, may improve Monroe street or any portion of the same from the south end of said street to the Xenia and Columbus railroad, by grading, graveling, or macadamizing.

SECTION 2. For the purpose of providing money to pay the costs and expenses of said improvement, said county commissioners are authorized, as the same is required, to issue the bonds of said county of the denominations of one hundred dollars or multiples thereof, bearing interest not exceeding the rate of six per cent. per annum, payable semi-annually, at the treasury of said county, and sell the bonds to the best advantage, but not less than the par value, placing the proceeds in the county treasury. The said bonds shall have such time to run as that one-tenth of a mill to the dollar levy yearly, on the grand duplicate of said county, shall raise a sufficient amount of money to pay off the same with the interest as it accrues; and said county commissioners shall annually levy a tax on all the taxable property of said county of one-tenth of a mill to the dollar or so much thereof as shall be required to redeem said bonds and pay interest thereon. The money realized from said bonds shall be paid out of the county treasury by order of the county commissioners on the warrant of the county auditor.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed February 9, 1893.

51L

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[House Bill No. 1236.]

## AN ACT

To authorize Miami township and Clifton village school district, in Greene and Clark counties, Ohio, to unite in the purchase of a site and the erection of a town hall in the village of Clifton, Greene county, Ohio, and to issue bonds for the purpose of raising money therefor, and to repeal an act entitled "An act to authorize Miami township and Clifton village school district, in Greene and Clark counties, Ohio, to unite in the purchase of a site, and the erection of a town hall in the village of Clifton, Greene county, Ohio, and to issue bonds for the purpose of raising money therefor," passed January 11th, 1893.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That Miami township and Clifton village school district, of Greene and Clark counties, Ohio, be and are hereby authorized to unite in the purchase of a site and the erection of a town hall in the said village of Clifton; the said hall to be owned by Miami township and the said school district in proportions of one-half each as to actual cost of the same; to meet the payment of said bonds and the interest thereon, herein authorized to be issued to raise money for said purpose, Miami township and the said school district be and are hereby respectively authorized to levy a tax yearly so long as may be necessary on the taxable property in the said township, outside of said school district and in the said school district, not exceeding two mills on the dollar, to be collected as other taxes until, the bonds and the interest herein provided shall be paid.



SECTION 2. That the Clifton village school district of Greene and Clark counties, Ohio, is hereby authorized to issue and sell at private sale at not less than par, the bonds of the said school district not exceeding the sum of fifteen hundred dollars, with interest not exceeding six per cent. per annum, payable semi-annually, the said bonds to be issued in sums of one hundred dollars each, payable at such place, and in such number of years not exceeding ten as the said school district directors may determine.

SECTION 3. That Miami township of Greene county, Ohio, be and is hereby authorized to issue and sell at private sale, at not less than par, the bonds of the said Miami township to the amount of fifteen hundred dollars, in sums of one hundred dollars each, with interest not exceeding six per cent. per annum, payable semi-annually; said bonds to be payable at such place, and such number of years not exceeding ten, as the trustees of said township may determine.

SECTION 4. On and after the passage of this act, the directors of the school district herein named and the trustees of Miami township shall issue the said bonds, and levy a tax as provided for in this act. The money arising from the sale of the bonds issued by the school district shall be paid into the treasury of said school district; the money arising from bonds sold by the township shall be paid into the treasury thereof, and shall be paid out by the directors of the school district, and trustees of the said township, as needed for the use and purposes provided for in this act.

SECTION 5. That an act passed January 11th, 1893, be and the same is hereby repealed; and this act shall take effect and be in force after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed February 17, 1893.

73L

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[House Bill No. 1135.]

## AN ACT

To authorize the commissioners of Greene county, Ohio, to construct a free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio* That the commissioners of Greene county, Ohio, be and are hereby authorized and required to build and construct a good and sufficient free turnpike on the following described road, known as the Wilmington or Port William and Jamestown road: Beginning at the intersection with the Hussey pike at Gunnersville, in Jefferson township, Greene county, running thence in a northeasterly direction a distance of about three miles, to the intersection of the Bowersville and Jamestown pike at

Blainetown, in Silver Creek township. Said road-to be improved by grading, graveling, building bridges and culverts.

SECTION 2. Thirty per centum of the entire cost and expenses of the construction of said free turnpike road shall be paid by a tax on all the taxable property, real and personal, as lie within one mile on either side of said free turnpike road; and seventy per centum of the cost and expenses of the construction of said free turnpike shall be paid by a tax on all the taxable property of the said county.

SECTION 3. The said county commissioners shall determine the time in which the said thirty per centum shall be paid, which shall not be less than five nor more than ten years, and an equal part of the said thirty per centum shall be levied and collected each year, and the said commissioners are authorized each year to make such levy upon all the taxable property within said taxing district, until the whole thirty per centum is fully paid, and they shall cause the same to be placed upon the tax duplicate and collected as other taxes; and the said commissioners shall, in like manner, levy upon all taxable property of the county the seventy per centum of the cost and construction, so that the same will be paid in not less than five nor more than ten years.

SECTION 4. For the purpose of paying seventy per centum of the cost and expenses of the construction of said free turnpike road, the commissioners are hereby authorized to issue the bonds of the said county, bearing not to exceed six per cent. interest per annum, payable semi-annually; the bonds shall be payable at such times as the commissioners may determine, not exceeding ten years from the date thereof; said bonds shall not be sold for less than their par value. The said bonds and interest shall be payable at the treasury of said county, by order of the commissioners on the warrant of the county auditor.

SECTION 5. The commissioners of the said county are hereby authorized to sell said road at public auction, or on sealed bids, as they may deem best, in sections of one-half mile each, or they may sell the same as a whole, as they may think best for the public interest of the county.

SECTION 6. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed March 1, 1893.

86L

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[House Bill No. 1499.]

## AN ACT

To authorize the trustees of Greene township, Clark county, and Miami township, Greene county, to levy a tax and cause a vault to be built in Clifton cemetery.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township trustees of Greene township, Clark county, and

the township trustees of Miami township, Greene county, be and they are hereby authorized and empowered to levy a tax upon all the taxable property in their respective townships, in an amount sufficient to raise in each of said townships, an amount not in excess of two hundred and fifty dollars, for the purpose of building a vault in the Clifton cemetery, situated at Clifton, Greene and Clark counties, and owned by said townships.

SECTION 2. The money collected from said levy shall be, by the treasurers of said townships, paid over to the managing trustee of the joint township cemetery board of trustees for said cemetery; said joint township cemetery board of trustees are hereby authorized to expend said money in the building of a vault for the reception of the dead in said Clifton cemetery.

SECTION 3. This act shall take effect upon its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed March 22, 1893.  
166L

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[House Bill No. 1567.]

## AN ACT

To authorize the county commissioners of Greene county, Ohio, to issue bonds for road purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That for the purpose of providing money to pay thirty per centum of the cost, expenses and interest on bonds herein authorized to be issued for the construction and building of free turnpike roads, under the direction of the commissioners of the said county, as provided by law. The commissioners of the said county are hereby authorized, as the money may be needed for the purposes of the said roads, to issue the bonds of said county, in the denomination of one hundred dollars, or multiple thereof, with interest not to exceed six per cent. per annum, payable semi-annually; said bonds and interest to be payable at the treasury of said county; the said bonds shall not be sold for less than the par value, and shall have such time to run as the commissioners of the county may determine, not exceeding ten years from date of same.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 23, 1893.  
193L

[ House Bill No. 1719.]

## AN ACT

To authorize the trustees of Beaver Creek township, Greene county, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Beaver Creek township, Greene county, Ohio, are authorized to transfer the sum of five hundred dollars from the road fund to the township fund of the said township.

SECTION 2. This act shall take effect and be in force after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 6, 1898.  
258L

[ House Bill No. 1613.]

## AN ACT

To provide for a road improvement in Greene county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Greene county, Ohio, are authorized to cause the following named road to be improved; known as the Goes Station and Pleasant Grove road, located in Xenia and Miami townships: Beginning at the intersection of the Xenia and Yellow Springs pike at the Goes Station school house, thence along the line of the said road a distance of some three miles to where the same intersects the Dayton and Yellow Springs pike; the road to be improved by grading, graveling, building bridges and culverts. The county commissioners, before proceeding to improve and construct the road as above described, shall first procure the consent of a majority of all the land-holders residing in the county who own lands lying within the bounds of one mile on either side of the said proposed free turnpike road, who shall present a petition to the county commissioners asking that the road be improved as a free turnpike road, and that thirty per centum of the entire cost, expenses and construction of the same shall be assessed upon the lands and taxable property within the bounds of the said road.

SECTION 2. Thirty per centum of the cost and expenses for the construction and building of the said road shall be paid by a tax on all the taxable property, real and personal, within one mile on each side of the said free turnpike road, and seventy per centum of the entire cost and construction of the said free turnpike shall be paid by a tax on all the taxable property of the county.

SECTION 3. For the purpose of providing money for the thirty per centum of the cost and construction of the said free turnpike, with interest on bonds issued therefor, and also for the purpose of providing money for the seventy per centum of the cost and construction of the said road, the county commissioners are authorized to issue the bonds of the said county, bearing not to exceed six per cent. per annum interest, payable semi-annually. Said bonds shall be payable at such times as the said commissioners may determine, not exceeding ten years from date thereof, and shall not be sold for less than their par value; the said bonds and interest shall be payable at the treasury of the county.

SECTION 4. The county commissioners shall determine the time in which the thirty per centum shall be paid, which shall not be less than five years or more than ten, and an equal part of the said third [thirty] per centum shall be levied and collected each year, and the said county commissioners are authorized each year to make such levy upon all the taxable property within said taxing district, until the whole thirty per centum is fully paid; and they shall cause the same to be placed upon the tax duplicate and collected as other taxes; and said commissioners shall in like manner levy upon all the taxable property of the county, the seventy per centum of the cost of said construction, so that the same will be paid in not less than five years nor more than ten.

SECTION 5. That said county commissioners be and they are hereby authorized to sell said road at public auction or on sealed bids, as they may deem best, in sections of one-half mile each, or they may sell the same as a whole as they may think best for the public interest.

SECTION 6. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 11, 1893.  
268L

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[House Bill No. 1737.]

## AN ACT

To improve a road named in Greene county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Greene county, Ohio, are hereby authorized and required to cause so much of the turnpike road, known as the Clifton, Cedarville and Jamestown road, to be repaired by causing the grade of said road to be repaired, the ditches cleaned out, and gravel or crushed rock to be placed thereon, as they may deem necessary to make a good road; beginning at the south boundary of the Cedarville corporation, and running a southerly direction to the intersection of the Selma and Jamestown turnpike, to be improved when the necessary proceedings have been instituted therefor, as hereinafter prescribed; eighty per centum of the cost and expenses of such improvement to be

borne by the county, and the residue be levied and assessed upon the property and lands benefited, and collected as hereafter directed.

SECTION 2. Whenever the requisite steps, by petition, shall have been taken for the said improvement, as provided for in section one, which is hereby authorized in accordance with the provisions of chapter 8, title 7, of the Revised Statutes of Ohio, entitled "two mile assessment pikes," (except as in this act otherwise provided), said county commissioners shall proceed to cause such road to be improved in accordance with such provision, except that eighty per centum of the cost and expenses thereof shall be paid by the said county, as herein provided, and twenty per centum of the costs and expenses thereof shall be levied upon the lands and taxable property within the bounds of said road as improved, and all and singular of said provisions of said chapter shall be operative and in force and shall be complied with so far as applicable in all respects as to said improvements, with the exceptions aforesaid.

SECTION 3. Whenever a petition shall be presented to said county commissioners, praying for the improvement of said road (which is hereby authorized), and a bond filed as prescribed in section 4831 of said Revised Statutes, said county commissioners shall proceed in accordance with the provisions of chapter 8 of said title 7 of the Revised Statutes, entitled "two mile assessment pikes," to cause the improvement prayed for to be made (except as otherwise herein provided), and all and singular of the provisions of said chapter 8 shall be operative and in force, and shall be complied with as to such improvements, which shall be made in accordance therewith, except that eighty per centum of the costs and expense shall be borne by the said county, as herein provided, and twenty per centum thereof shall be assessed upon the lands and taxable property assessable for the same; provided that no lands shall be subject to more than a single assessment in the aggregate for said improvement, or for the same or any other like improvement provided for in the year 1893.

SECTION 4. For the purpose of providing money to meet said eighty per centum of the cost and expense of said improvement when ordered, said county commissioners are authorized and directed, as the same are needed, to issue the bonds of said county, of the denominations of one hundred dollars (\$100.00) or multiple thereof, bearing interest not exceeding six (6) per centum per annum, payable semi-annually at the treasury of said county. Said bonds shall not be sold for less than their par value, placing the proceeds in the county treasury. The bonds shall have such time to run as that one-tenth of a mill to the dollar levy, yearly, on the grand duplicate of said county, shall raise sufficient money to pay off the same, with interest as it accrues; and said commissioners shall annually levy a tax on all the taxable property of the said county of one-tenth of a mill to the dollar, or so much thereof as shall be needed to redeem such bonds and pay the interest thereon as the same becomes due. The money realized from said bonds shall be paid out by orders of said county commissioners, upon the warrant of the county auditor.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 11, 1893.  
273L

[House Bill No. 1819.]

## AN ACT

To authorize the council of the city of Xenia, Greene county, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of the city of Xenia, in Greene county, be and hereby is authorized to transfer the sum of two thousand five hundred dollars from the water-works fund of said city as follows: One thousand dollars to the general fund; one thousand dollars to the bridge fund, and five hundred dollars to the street fund of said city.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 22, 1893.  
343L

[House Bill No. 1738.]

## AN ACT

To authorize the council of Cedarville, Greene county, Ohio, to issue bonds and levy a tax for the purpose of aiding and encouraging manufacturing establishments in said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Cedarville, Greene county, Ohio, be and the same is hereby authorized to issue the bonds of the said village not exceeding three thousand (\$3,000.00) dollars, as herein provided, for the purpose following, to wit: To purchase site and water privileges for manufacturing establishments, and also in any other way that may be deemed expedient to aid and encourage said establishments.

SECTION 2. Such bonds shall be of the denomination of two hundred (\$200.00) dollars each, payable April 1st and September 1st of each year, commencing April 1st, 1897, and bear interest at the rate of not exceeding six per centum per annum, from date, interest payable semi-annually, but said bonds shall not be sold for less than par.

SECTION 3. For the purpose of paying said bonds and the interest thereon, as the same may become due, the said council is hereby authorized to levy a tax on all taxable property of said village, in addition to that otherwise authorized by law, to such amount each year as shall be necessary to the payment of the principal of said bonds.

SECTION 4. Before the said council shall have authority to issue bonds and levy said tax, the question of such issue and levy shall first be submitted to the voters of said village at a regular or special election held for that purpose. Such election shall be held in the same manner

and at the places where elections are usually held in said village; notice thereof shall be given by publication in a newspaper printed and of general circulation in said county, for two consecutive weeks prior to said election; those electors who favor the issue of such bonds and a levy of such tax, shall have written or printed on their ballots the words "Issue of bonds—Yes," and those who are opposed to such issue and levy shall have written or printed on their ballots the words "Issue of bonds—No;" and if a majority of the votes cast at such election are in favor of the issue of such bonds, the council of such village shall be authorized to issue said bonds and make said levy for the purpose aforesaid.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 24, 1893.  
352L

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## GUERNSEY COUNTY.

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[House Bill No. 1093.]

### AN ACT

To authorize the county commissioners of Guernsey county, Ohio, to issue and dispose of the bonds of the county, for the purpose of providing for a deficiency in the county fund of said county; and providing for the payment of the principal and interest of said bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Guernsey county, Ohio, for the purpose of providing for a deficiency in the county funds of said county, be and they are hereby authorized to issue the bonds of said county, to such amount as may be necessary for the purpose named, but not to exceed twenty-five thousand dollars (\$25,000.00).

SECTION 2. Said bonds shall bear interest at a rate not exceeding six per cent. per annum, interest payable semi-annually, and shall be issued, signed and sold according to law, in such sums as said county commissioners may determine, but shall not be sold for less than their par value; said bonds to be paid within thirteen years from the issue thereof, at the discretion of said county commissioners.



SECTION 3. For the purpose of paying said bonds and the interest thereon as the same may become due and payable, said county commissioners are hereby required to levy, annually, on all the taxable property within the county, a sum sufficient to pay the same, in addition to all other taxes authorized by law; said levy not to exceed seven-tenths of one mill on the dollar in any one year.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed January 27, 1893.

28L

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[House Bill No. 1894.]

### AN ACT

To create a special school district at Salesville, Guernsey county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That there is hereby created a special school district at the village of Salesville, Guernsey county, Ohio, to be known as Salesville special school district, and the same shall embrace all of the territory now included in subdistrict number 4 of Millwood township, Guernsey county, Ohio.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 28, 1893.

397L

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[House Bill No. 1884.]

### AN ACT

To create an election precinct at Lore City, Guernsey county, Ohio, to be known as Lore City precinct.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That there is hereby created an election precinct in Guernsey

county, Ohio, to be known as the Lore City precinct, with the voting place at said Lore City.

SECTION 2. Said voting precinct shall be composed of the following described territory, to wit: Beginning at the southeast corner of Wills township in Guernsey county, Ohio; thence north along the east line of said township to the southeast corner of section twenty-one in township one and range one; thence westward along the south line of sections twenty-one, twenty-two, twenty-three, twenty-four and twenty-five of said township one and range one, and along the south line of section twenty-one in township one and range two, to the west line of said Wills township; thence in Center township in said county along the north line of sections two, three and four in township one and range two, to the west line of said Center township; thence southerly along the west side of said section four to the southwest corner of said section four; thence eastward along the south line of said section four to the southeast corner thereof, being also the northwest corner of Richland township; thence southward along the line between Jackson and Richland townships, to the southwest corner of section eight in said Richland township, in township one and range two; thence eastward along the south line of sections eight, nine and ten in said last named township and range, and eastward by the projection of the same line to the west line of Millwood township; thence northward along said west line to the south line of said Wills township; thence eastward along said south line to the southeast corner of said Wills township, the place of beginning. And the remaining portion of said Center, Richland and Wills townships, not described within said Lore City precinct, shall each constitute a separate precinct, with voting places as known and designated heretofore. Provided, however, that said townships shall remain intact for assessment purposes, and there shall be no assessor required for said Lore City precinct.

SECTION 3. The board of deputy state supervisors of elections for Guernsey county shall appoint election officers for said precinct and provide them with the ballot-boxes as in other cases. It shall be the duty of the said deputy state supervisors to supply said election officers at the spring elections with tickets such as they provide for each of the three townships having territory in said precinct; and it shall be the duty of the election officers to certify the separate results of such spring elections to the clerks of the three several townships of Center, Richland and Wills; but at the fall elections the election officers shall be provided with separate ballots in such precinct, and the result shall be certified direct to the county board of deputy state supervisors, as from other townships and precincts.

SECTION 4. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,

*Speaker pro tem. of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 27, 1893.

406L

[House Bill No. 1885.]

## AN ACT

To authorize the council of the incorporated village of Cambridge, Guernsey county, Ohio, to construct a system of water-works for said village, and to issue the bonds of said village to provide for the payment therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village council of the incorporated village of Cambridge, Guernsey county, Ohio, be and is hereby authorized and empowered to construct a system of water-works for said village, and to issue the bonds of said village in any sum necessary to construct such system of water-works, but in no case to exceed seventy-five thousand dollars, such bonds to bear interest at such rate, not exceeding five per cent. per annum, payable semi-annually, as such village council may, by resolution or ordinance, provide, and to be issued at such time or times, not exceeding three years from the passage of this act, and in such amounts, and to be of such denominations as such village council may by resolution or ordinance provide, and the same to be made payable at such time or times as such village council may by resolution or ordinance provide, but in no case to be less than ten nor more than thirty years from the date of their issue, and which bonds shall not be sold for less than their par value and accrued interest, in cash, the proceeds of which said bonds shall be used for the purpose of constructing and completing such system of water-works and paying expenses incident to such constructing and completing and for no other purpose. The said bonds shall be signed by the mayor of said village, and the seal of said village shall be affixed thereto, attested by the clerk of said village; and when the said bonds or any of them are sold, the proceeds shall be paid to the treasurer of said village, who shall hold and disburse said proceeds as other village funds are by him held and disbursed.

SECTION 2. If any of the bonds of said village be issued as herein before provided, the village council of said village is hereby authorized and required annually thereafter, until the same and the interest thereon shall be fully paid, to assess and levy a tax not exceeding 3 mills on each \$1.00 of taxable property, on all the taxable property of said village, sufficient in addition to any net income which may be derived from such water-works, to provide for the payment of the interest accruing upon the bonds so issued, and also to provide, by means of a sinking fund, or otherwise, for the payment of the principal of such bonds as they mature.

SECTION 3. That before any contract shall be made, indebtedness contracted, or bonds issued, the question shall be submitted to a vote of the qualified electors of the said village of Cambridge, at a municipal or general election, or at a special election that may be called for that purpose by said council, of which election ten days' notice shall be given by the mayor by publication in two newspapers of opposite politics and of general circulation in said village; and if three-fifths of the votes cast at such election be in favor of issuing said bonds, then the council of said village shall be authorized to issue said bonds and levy said tax as herein provided. Those voting in favor of the issue of said bonds shall have written or printed on their ballots the words "For water-works—Yes,"

and those voting against the issue of said bonds shall have written or printed on their ballots the words "For water-works—No."

SECTION 4. This act shall take effect and be in force from and after the date of its passage.

ELVERTON J. CLAPP,  
*Speaker pro tem. of the House of Representatives*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 27, 1893.  
407L

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[House Bill No. 1480.]

### AN ACT

To amend an act entitled "An act to authorize the commissioners of Guernsey county to construct free turnpike roads," passed March 21st, 1887, and to supplement the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of any county in this state, which had at the federal census of 1890 a population of not less than 28,645 and not exceeding 28,675, or which at any subsequent federal census may have such population, are hereby authorized to construct free turnpike roads, or otherwise change, repair and improve the roads of such counties in the manner hereinafter provided.

SECTION 2. Said commissioners shall, with the approval of the court of common pleas of any such counties, or a judge thereof, appoint seven viewers, who shall be resident freeholders of the same, to be justly apportioned to different parts of the county, and to be selected with especial reference to their qualifications in that regard, who shall view the roads and thoroughfares in such county, the towns, centers of population, the means of communication, and fully consider the interests of the people of such county in that respect, and report in writing to such commissioners what roads, or parts of roads, if any, ought to be made free turnpike roads, or otherwise improved, repaired or altered at the expense of the county, in whole or in part, and what roads or parts of roads, should be first improved, in what manner, and the estimated cost of the same, looking to the general good and the public welfare.

SECTION 3. Upon the report of not less than five of said viewers recommending the same, the commissioners may improve, repair or alter any road, or part of road therein recommended, and the recommendation of such viewers shall be necessary to authorize said commissioners to construct any turnpike road in said county, or levy a tax for the same, or otherwise improve roads as aforesaid; provided, that in no year shall said commissioners construct more than ten miles of such turnpike roads. In improving, changing, or altering any road or part of road, such viewers shall be governed by chapter two (2), title seven (7), of the Revised Statutes; and their report shall have all the force and effect of such viewers under said chapter.

SECTION 4. Said commissioners may, if they deem best, issue bonds for constructing, improving, altering or repairing such roads, or parts of roads, provided said bonds shall bear interest at a rate not exceeding six per centum per annum, payable semi-annually, and shall be sold according to law.

SECTION 5. Said commissioners may, before proceeding to construct, improve, repair or alter such roads or any parts of the same, require and secure from those interested in said improvements, a subscription or donation equal in amount to such per centum of the estimated cost, as returned by said viewers of said improvements, to aid in the construction of the same as they may deem just and equitable.

SECTION 6. For the purpose of paying said bonds, said commissioners are hereby authorized to levy and assess a tax, not exceeding two mills on the dollar annually, on all property in said county on the tax duplicate.

SECTION 7. A majority of said commissioners shall, at a regular or special session, be necessary to agree upon specifications, and order said improvements or any part thereof.

SECTION 8. Said viewers shall be allowed reasonable expenses and such compensation as is provided in other road cases.

SECTION 9. Said commissioners are directed to provide and keep at their office specifications for such turnpikes, improvements, repairs or alterations of roads as are provided for in this act, and upon the construction by any person of any such road or part of road recommended by said viewers for improvement, in accordance with such specifications, said commissioners may order to be paid out of the county treasury fifty (50) per centum of the cost thereof, such sum in the aggregate not to exceed one thousand (\$1,000) dollars per mile.

SECTION 10. Any such county with population as aforesaid shall be and is hereby created a special road district for the purpose of opening, improving, changing, or altering and repairing all public highways which are laid out and established therein. The board of county commissioners shall, on or before the first Monday of April of each year, appoint, upon the recommendation of the township trustees of each township, respectively, two supervisors of roads for each township, who shall have all the rights, perform all the duties, and be subject to all the liabilities provided for by chapter five (5), title seven (7) of the Revised Statutes. Such township supervisors, so appointed, shall receive two (2) dollars per day for every day's service in the performance of their duties as such supervisors of roads; and shall give bond payable to the township trustees for the benefit of the state of Ohio, in the sum of five hundred (500) dollars, conditioned for the faithful performance of their duties. And in the counties enumerated in this act the office of road supervisor is abolished and the trustees shall omit from their notice of election for township officers the office of road supervisor.

SECTION 11. This act shall take effect and be in force from and after its passage; and said original act passed March 21, 1887, entitled as aforesaid, be and the same is hereby repealed.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed March 17, 1893.  
148G

## HAMILTON COUNTY.

[House Bill No. 738.]

## AN ACT

To provide for the sale of school lands granted to fractional township 4, in the first fractional range in the Miami purchase.

WHEREAS, Fractional township 4 of the first fractional range of townships in Miami purchase, is entitled to a quarter section of school lands, situated in Preble county, the value of which is being injured by trespassers thereon, and the title to which is now vested in the board of education of the school district of Cincinnati, it is therefore enacted as follows, to wit:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the boards of education in city districts of the first grade of the first class be and they are hereby authorized to make sale of any school lands belonging to said school district situated in Preble county, as now provided by the act of April 16, 1852, entitled "An act to regulate the sale of school lands, etc.," if in the judgment of said board it would be to the best interest of the said schools within said school district; provided, the proceeds of any sale of said lands shall be invested and the interest thereon disposed of for the benefit of said fractional township as provided by law.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed January 30, 1893.

30L

[House Bill No. 1166.]

## AN ACT

To authorize the village of Cleves, Hamilton county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Cleves, Hamilton county, Ohio, be and is hereby authorized to transfer from the marshal fund to the street fund, the sum of five hundred dollars.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed February 3, 1893.

44L

## AN ACT

To authorize and direct the commissioners of Hamilton county to widen and improve the Montgomery road from the north corporation line of Cincinnati to the Plainfield road, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Hamilton county are hereby authorized and directed to widen, grade and improve the Montgomery road, otherwise known as the Cincinnati and Montgomery turnpike, from the north corporation line of the city of Cincinnati to the Plainfield road in Silverton, in the manner and means hereinafter provided in this act.

SECTION 2. The said county commissioners shall have exclusive final jurisdiction and power in all matters relating to the widening and improvement of said Montgomery road, and shall begin proceedings immediately in this behalf with full authority to condemn the necessary property and to make the necessary contracts at any time after the passage of this act.

SECTION 3. The said commissioners shall, on the first day of May subsequent to the passage of this act, or as soon thereafter as practicable, appoint three freeholders of the county as trustees, one of whom shall be nominated and recommended by the council of the village of Norwood and one by the council of the village of Pleasant Ridge; and the said trustees shall appoint a competent surveyor and all the necessary assistants who shall perform such services and receive such compensation as the trustees may order or require. The trustees shall be sworn to faithfully and honestly discharge their duties, shall furnish bond to the county in the sum of \$10,000 each, and shall receive such compensation as the commissioners may allow.

SECTION 4. The said Montgomery road shall be widened to the full uniform width of eighty (80) feet from the Duck creek road in Mill creek township to the Plainfield road in Silverton; and the surveyor and trustees shall establish the grade from the corporation line of Cincinnati; and the county commissioners, upon recommendation of the trustees, shall at once condemn and appropriate all private property necessary for this purpose, and shall proceed in their name in one action to ascertain and adjust the compensation to be paid the owners, including any damages claimed under and in accordance with the law providing for the appropriation of private property for street purposes by municipal corporations; and when the value of said private property and the amounts of damages, if any, have been fixed by the jury, the said board of county commissioners shall take the same at the assessed value and proceed forthwith to issue and sell the bonds hereinafter provided for that purpose, and with the fund thus realized pay the amount of said compensation and damages assessed by the jury, and the costs and expenses. Said trustees shall be authorized to employ counsel to prepare said condemnation suit for submission to the commissioners, and to assist the county solicitor in the prosecution of the same before the courts, and after the determination of said suit all claims or allowances for damages of any kind or description shall be barred, as to all parties to the action.

SECTION 5. The said trustees, immediately after the title to the property necessary for widening has been acquired, and the damages

ascertained as provided in the preceding section, shall estimate separately the cost of improving said Montgomery road.

1. By grading and laying asphaltum or brick pavement in the driveway forty-eight feet wide from the city of Cincinnati to Duck creek road, and thence sixty feet wide to Harris avenue in Norwood, including bridges, culverts and curbs, and also a concrete or cement sidewalk six feet in width on each side of said roadway.

2. By grading and macadamizing the same and constructing the necessary curbs, flagging, bridges, culverts and also a concrete or cement sidewalk six feet in width on each side of said roadway from Harris avenue to the said Plainfield road in Silverton; and they shall report to the commissioners their estimates, on each section of said Montgomery road as above set forth, separately, with specifications accordingly, together with all expenses incurred in connection therewith.

SECTION 6. When the estimates of the trustees are filed and reported, the county commissioners shall at once advertise for bids, for ten consecutive days in one or more newspapers of general circulation in Hamilton county, for improving said road between the points named as herein provided, and may, if deemed advisable, divide said road into several sections, and said improvement according to character for the purposes of construction, and may advertise and let a separate contract for each section or kinds of work; and the said commissioners shall award the contract or each contract as the case may be, to the lowest and best bidder. The work shall be done under the supervision of the trustees, who shall report from time to time to the said commissioners.

SECTION 7. For the purpose of raising the money necessary to meet the total expense of the improvement, the commissioners of the county are hereby authorized and directed to issue and sell bonds of the county, as they may be needed, first, to pay the costs and expenses of the condemnation and damage proceedings provided for in this act; and, second, to meet the contract prices of construction and all expenses incident thereto; said bonds shall bear interest at a rate not to exceed five per cent. per annum, payable semi-annually, and shall not be sold for less than their par value, and they shall become due in instalments or at intervals not exceeding in all the period of twenty years, and the proceeds from the sale thereof shall be applied and used only for the purposes mentioned in this act.

SECTION 8. One-half the costs and expense of widening said Montgomery road, including the value of the land taken and damages as fixed by the jury, and the interest on the bonds issued, in anticipation of the unpaid assessments if any, shall be assessed by the foot front upon the property bounding and abutting thereon, on both sides, from Duck creek road to the Plainfield road; in addition thereto, one-half of the cost and expense of grading, paving and constructing said driveway, curbs and walks, including interest on bonds issued, in anticipation of the unpaid assessments, if any, from the corporation line of Cincinnati to Harris avenue in Norwood, shall be assessed by the foot front upon the lots and property bounding and abutting upon said improvement between these two designated points, the cost of intersections to be included in making up the total estimate, and assessment; one-half of the cost and expense of grading, macadamizing and improving said roadway and curbs and the construction of the sidewalks from Harris avenue to the Plainfield road, including interest on bonds, issued in anticipation of the unpaid



assessments, if any, shall be assessed on both sides, by the foot front, upon the lots and lands bounding and abutting thereon, intersections to be included in making up the total estimate and assessment; and the remaining one-half of the entire cost and expense of widening and improving the said Montgomery road, in the manner herein directed, shall be paid by the county of Hamilton. Each and every one of said special assessments shall be payable in ten annual instalments, if deferred; but any property owner shall have the privilege of paying any or all of his assessments, in cash, without interest, within fifteen days after publication of a notice in a newspaper of general circulation in the county; after the expiration of said fifteen days, all unpaid assessments, with interest computed and added, shall be placed upon the duplicate for taxation against the lands assessed, and collected in the same manner as other taxes.

SECTION 9. The cost and assessments herein provided for shall not exceed the sum of ten dollars (\$10) per front foot on the abutting property, between the city of Cincinnati and Harris avenue, Norwood; and the sum of six dollars (\$6) per front foot upon all property between said Harris avenue and the Plainfield road; and there shall be no other limitation whatever; and no notice of any kind to the owners thereof shall be required, except as herein provided.

SECTION 10. The said county commissioners of Hamilton county, in addition to their other powers of taxation, are hereby authorized and directed to collect in the grand levy of taxes, on all the taxable property of said county on the duplicate for the year 1893, a tax of one-fourteenth of a mill on the dollar; and for the nineteen following years, a similar tax each and every year, of one-fourteenth of a mill on the dollar; the fund so raised to be applied, with the money obtained by said special assessments, to the payment of the bonds and interest, issued pursuant to the directions of this act.

SECTION 11. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,

*Speaker pro tem. of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed February 9, 1893.

47L

[House Bill No. 1325.]

## AN ACT

To authorize the village of Westwood, Hamilton county, Ohio, to issue and sell bonds for the construction of an electric light plant.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Westwood, Hamilton county, Ohio, be and it is hereby authorized to submit to the qualified electors of said village, at either a general or special election, the question of issuing and selling the bonds of said village to an amount not exceeding twenty-five thousand (\$25,000.00) dollars, the proceeds of said bonds to be used in the construction of an electric light plant for the purpose of lighting

the streets and public buildings of said village, and supplying light to private consumers at such price as may be fixed by said council. Due notice of the submission of said question and the time thereof shall be given by publication twice a week for three consecutive weeks prior to said election, in one or more daily newspaper[s] of general circulation in said village; said publication shall state the amount of bonds which it is desired to issue; the purpose to which the proceeds of said bonds are to be applied; the time they shall have to run; the denominations and the rate of interest. Said election shall be held at the usual place of holding elections, and shall be conducted by the same officers and in the same manner as elections for village officers of said village. Ballots in favor of the issue of said bonds shall have written or printed on them "For the issue of electric lighting bonds—Yes," ballots against the issue of said bonds shall have written or printed on them "For the issue of electric lighting bonds—No." The judges and clerks of said election shall canvass the vote upon said question and certify the result to the council of said village, and shall deposit the poll-book and tally-sheet with the clerk of the village.

SECTION 2. At any subsequent regular meeting of said council, the certificate of the result of said election shall be read and spread on the minutes of the council, and if it shall be found that a majority of all the ballots cast upon said question have been in favor of the issue of said bonds, the council may, at any time thereafter, proceed to issue and sell in accordance with law, the bonds of said village to an amount not exceeding twenty-five thousand (\$25,000.00) dollars, and conforming in other respects to the notice of the submission of said question published prior to said election and apply the proceeds of the sale of said bonds to the purposes set forth in section 1 of this act.

SECTION 3. The council of said village is hereby authorized to levy a tax upon all the real and personal property in said village, in addition to the amount they are now by law authorized to levy, sufficient to pay the interest on said bonds as the same shall accrue, and to provide a sinking fund for the payment of said bonds when the same shall have become due.

SECTION 4. This act shall take effect from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed February 23, 1893.

80L

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[ House Bill No. 1409.]

## AN ACT

Supplementary to an act entitled "An act to authorize the commissioners of Hamilton county to widen and improve the Madisonville pike in the city of Cincinnati, from Woodburn avenue eastwardly to the corporation line," passed April 23, 1891 (88 O. L. 823).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following sections be enacted as supplementary to the act

passed April 23, 1891 (88 O. L., 823), entitled "An act to authorize the commissioners of Hamilton county to widen and improve Madisonville pike in the city of Cincinnati, from Woodburn avenue eastwardly to the corporation line."

Sec. 6. In exercising the powers of condemnation provided for by the act entitled "An act to authorize the commissioners of Hamilton county to widen and improve the Madisonville pike, in the city of Cincinnati, from Woodburn avenue eastwardly to the corporation line," passed April 23d, 1891, the commissioners of Hamilton county shall proceed in all respects and all proceedings had shall be in the manner provided for the appropriation of private property by municipal corporations in so far as the same are applicable, except where provision is otherwise made by said act of April 23d, 1891, and the amount of compensation adjudged to any owner or owners, together with the cost and expense of such proceedings shall be paid out of the fund known as "the Madisonville pike improvement fund."

Sec. 7. Any action or proceeding heretofore brought by said county commissioners and now pending in any court of record for the appropriation of lands for the purpose of widening and improving said Madisonville pike under said act, or any action or proceeding heretofore brought by said county commissioners and now pending in any court of record to ascertain the compensation to be paid the owners of the lands so appropriated or to be appropriated under said act, shall not abate or be dismissed by reason of any omission in said act to state the manner in which said lands shall be condemned or such compensation be ascertained; but said action or proceeding and the proceedings thereunder shall continue under the title in which the same have been brought, and shall be as valid as if brought under the provisions of said act as supplemented by section 6 of this act.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed March 2, 1893.

103L

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[House Bill No. 1114.]

## AN ACT

To authorize the board of education of village school district No. 5, of Harrison township, Hamilton county, Ohio, to issue bonds for purposes of improvement, not exceeding the amount of twenty-five hundred ( \$2,500.00) dollars.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of village school district No. 5, Harrison township, Hamilton county, Ohio, be and it is hereby authorized to issue bonds not exceeding in amount the sum of twenty-five hundred (\$2,500.00) dollars, for the purpose of providing a fund to pay for the

construction of a sidewalk, curbs and gutters, in front of property belonging to said board of education and also abutting thereon, and being the high school property situate in Harrison village; and for the further purpose of providing a fund to pay for such additional internal or external improvements to said high school property, as in the opinion of said board of education may be deemed necessary.

SECTION 2. Said bonds shall be of such denominations not exceeding five hundred (\$500.00) dollars as said board by resolution may declare proper; they shall bear a rate of interest not exceeding six per cent. per annum; the principal and interest shall be payable at such times, not exceeding ten years from their date, and at such place or places as are in the opinion of said board deemed reasonable and proper; they shall not be sold for less than their par value in cash, and when executed they shall be signed by the president of the board and countersigned by the clerk, and they shall be advertised for sale in the same manner provided for the sale of municipal bonds under section 2709, Revised Statutes of Ohio; or if a majority of the members of said board deem it advisable, they may be sold at private sale for not less than par under the direction of a finance committee appointed by said board. The proceeds of said bonds when sold, shall be paid to the treasurer of said board and placed to the credit of an improvement fund, and shall be used for no other purpose than such as are authorized by this act; but any balance unexpended in said improvement fund after the expiration of one year from the passage of this act, may, by resolution of said board, be transferred to the credit of the contingent fund.

SECTION 3. Said board of education of said village be and it is hereby authorized and required, annually, during each and every year in which said bonds are made to run or fall due, to levy a tax in addition to that already authorized by law on all property, real and personal, within said village school district No. 5, sufficient to pay the interest and principal of said bonds as they fall due.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed March 14, 1893.

130L

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[Senate Bill No. 460.]

## AN ACT

To create a special school district in Sycamore township, Hamilton county, Ohio.

SECTION. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following described territory is hereby created and declared to constitute a special school district in Sycamore township, Ham-

ilton county, Ohio, to be known as "the Sharon special school district," to wit: Being the parts of sections numbers eighteen (18), twenty-three (23), twenty-four (24), twenty-nine (29), thirty (30), thirty-five (35) and thirty-six (36) of Sycamore township, Hamilton county, Ohio, now included in the territory of subdistrict number two (2) of said Sycamore township.

SECTION 2. Such special school district shall be governed and controlled in all respects by such laws as are now or may hereafter be in force relating to special school districts; provided, there shall be elected in such special district, on the second Monday of April next, five members of the board of education, two to serve for one year, two to serve for two years, and one to serve for three years, and annually thereafter two members to serve for three years, except every third year, when only one person shall be elected to serve for three years.

SECTION 3. The local directors now in office in said subdistrict number two (2) shall continue in office until the election and qualification of the board of education provided for in this act.

SECTION 4. All the school property situated within said described territory shall belong to and be the property of said special school district, and said school district shall be entitled to receive its proportionate share of all school funds levied in 1892, and in accordance with the enumeration of the year 1892 of children who are entitled to attend school; said funds including those now collected within the county or township treasury.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed March 15, 1893.  
136L

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[Senate Bill No. 501.]

### AN ACT

To authorize the village of Wyoming, Ohio, to issue additional bonds for water-works purposes and to levy a tax to pay the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Wyoming, Hamilton county, Ohio, be and it is hereby authorized to issue and sell the bonds of said village to an amount not exceeding ten thousand dollars (\$10,000.00), for the purpose of extending and protecting the water-works owned by said village. Said bonds shall be in such denominations, shall run for such times and bear such a rate of interest not exceeding six per cent. per annum, as said council shall by resolution provide, and the proceeds of the sale of said bonds shall be placed in the water-works fund of said village to be applied to the above purposes. For the purpose of paying

said bonds and accrued interest thereon as the same become due, said council is authorized to levy such tax as may be necessary, from year to year, upon all the taxable real and personal property in said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 21, 1893.  
149L

[House Bill No. 1566.]

### AN ACT

To authorize the trustees of Colerain township, Hamilton county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Colerain township, Hamilton county, Ohio, be and they are hereby authorized to transfer from the township fund to the road fund of said township, the sum of two thousand (\$2,000.00) dollars.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 22, 1893.  
175L

[House Bill No. 1197.]

### AN ACT

To authorize and direct the commissioners of Hamilton county to widen and improve the Cincinnati, Oakley and Madison avenue (formerly Madisonville pike), from the north corporation line of the city of Cincinnati to Madison avenue (formerly Brotherton road) at Oakley.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Hamilton county be and they are hereby authorized and directed to widen, grade and improve the Cincinnati, Oakley and Madison avenue, formerly known as the Madisonville pike,

from the north corporation line of the city of Cincinnati to Madison avenue, formerly Brotherton road, at Oakley, in the manner and means hereinafter provided in this act, provided that lot and land owners representing a majority of feet fronting upon the proposed improvement, herein contemplated, shall petition the county commissioners of said county for the same, and which petition shall be verified by the county solicitor of said county that such petitioners represent the lot and land owners of a majority of feet fronting on said improvement.

**SECTION 2.** That said Cincinnati, Oakley and Madison avenue shall be widened and graded to the full uniform width of eighty feet (that is, to make it forty (40) feet in width on each side of the center line of said avenue), from the place of beginning to the place of termination of said improvement, and shall be paved in the driveway to the full width of fifty (50) feet (that is twenty-five (25) feet on each side of the central line of said avenue) with the best of vitrified brick, including bridges, culverts and curbs.

**SECTION 3.** That said county commissioners shall have final and exclusive jurisdiction and power in all matters relating to the widening, grading and improving of said Cincinnati, Oakley and Madison avenue, and shall proceed immediately in this behalf to condemn the necessary property and to make the necessary contracts at any time after the passage of this act.

**SECTION 4.** That said county commissioners shall forthwith appoint three disinterested freeholders of the county as viewers, and the county engineer shall perform such services as the viewers may require. The viewers shall be sworn to honestly and faithfully discharge their duties, shall furnish bond to the county in the sum of ten thousand dollars each, and shall receive such compensation as the commissioners may determine.

**SECTION 5.** The county commissioners, upon the recommendation of the viewers, shall at once condemn and appropriate all private property necessary for the purpose of widening the said avenue, and shall proceed in their name in one action to ascertain and adjust the compensation to be paid to the owners, including any damages claimed under and in accordance with the law providing for the appropriation of private property for street purposes by municipal corporations; including damages to the property holders who have been assessed for the construction of sidewalks on said avenue, and when the value of said lots and lands and the amount of damages, if any, have been fixed by the jury, the said county commissioners shall take the same at the assessed value and proceed forthwith to issue and sell the bonds hereinafter provided for that purpose, and with the funds thus realized pay the amount of said compensation and damages assessed by the jury, and all the costs and expenses attending the same. Said viewers shall be further authorized to employ counsel to prepare said condemnation suits for submission to the commissioners, and to assist the county solicitor to prosecute the same before the courts, and after the determination of said suit all claims for damages of any description shall be barred.

**SECTION 6** The said viewers, immediately after the title to the property necessary for widening said avenue has been acquired, and the damages ascertained as provided in section 5 of this act, shall estimate the cost of grading and improving said avenue by widening the present grade of said avenue to the width of forty feet on each side of the central line of

said avenue, and paving the driveway fifty feet wide with the best of vitrified brick, including bridges, culverts and curbs.

SECTION 7. When the estimate of the viewers is filed with the county commissioners, the commissioners shall at once advertise for bids, for fifteen consecutive days, in a newspaper of general circulation in Hamilton county, for grading and improving said avenue between the points named as herein provided, and the commissioners shall award the contract to the lowest and best bidder. The work shall be done under the supervision of the viewers and county engineer, who shall report from time to time to the said commissioners.

SECTION 8. For the purpose of raising the money necessary to meet the total expense of the improvement, the commissioners of the county are hereby authorized and directed to issue and sell bonds of the county, as they may be needed, first, to pay the costs and expenses of the condemnation and damage proceedings provided for in this act; and, second, to meet the contract price of construction and grading and all expenses incident thereto; said bonds shall bear interest at a rate not to exceed five per cent. per annum, payable semi-annually, and shall not be sold for less than their par value, and they shall become due in instalments, or at intervals not exceeding in all the period of ten years, corresponding as near as practicable in amount and time of payment, with the annual assessments and taxes to be collected therefor; and the proceeds from the sale of said bonds shall be applied and used only for the purposes mentioned in this act.

SECTION 9. The cost and expense of widening said avenue, including the value of the lots and lands taken and damages as fixed by the jury, and the interest on the bonds issued, if any, shall be assessed upon and collected from the owners of the lots and lands situated within one thousand feet on each side of said line of improvement, and from the lots and lands within one thousand feet on each side thereof in proportion to the benefit which may result from said improvement to said lots and lands; and one-half of the cost and expense of grading, paving and constructing said driveway and curbs, including interest on bonds issued, if any, shall be assessed upon and collected from the owners of the lots and lands situated within one thousand feet on each side of said line of improvement, and from the lots and lands within one thousand feet on each side thereof in proportion to the benefit which may result from said improvement to said lots and lands; and the remaining one-half of the entire cost and expense of grading and improving the said Cincinnati, Oakley and Madison avenue in the manner herein directed shall be paid by the county of Hamilton. Each and every one of said special assessments shall be payable in ten annual instalments, if deferred; but any property owner shall have the privilege of paying any or all of his assessments in cash, without interest, within thirty days after publication of a notice in a newspaper of general circulation in the county; after the expiration of said thirty days, all unpaid assessments, with interest computed and added, shall be placed upon the duplicate for taxation against the lands assessed, and collected in the same manner as other taxes; and if any of the lots and lands to be assessed for the widening of said avenue, or for the grading and improving said avenue are subject to a life estate, the assessment or assessments made thereon shall be apportioned between the owner of the life estate and the owner of the fee in proportion to the relative value of the respective estates, such proportion to be ascertained upon the principles applicable to life annuities.



**SECTION 10.** The viewers shall, upon actual view of the lots and lands to be charged with the assessment for widening said avenue, apportion the same, and also upon actual view of the lots and lands to be charged with one-half of the assessment for grading and improving said avenue, apportion the same, and shall report the same to the county commissioners, in writing, which report shall be filed and kept by the commissioners for public inspection. Before adopting said report the said commissioners shall publish notice for three consecutive days in some newspaper of general circulation in said county that such report has been made and that the same is on file in the office of the commissioners for inspection, and if no objections are filed within two weeks after the expiration of said notice the commissioners may confirm the same. If the owner of any of the property assessed, as provided by this act, object to the assessment so made he shall file his objections in writing, with the commissioners, within the time above named, and thereupon the commissioners shall proceed to determine all objections to said assessment, equalize the same or approve the assessment already made, as they shall deem just. When said assessment is confirmed by said commissioners the same shall be subject to appeal in the same manner as is now provided by law for appeal as in other cases.

**SECTION 11.** The said county commissioners of Hamilton county, in addition to their other powers of taxation, are hereby authorized and directed to collect in the grand levy of taxes on all the taxable property of said county on the duplicate for the year 1893, a tax not to exceed one-twentieth of a mill on the dollar, and for the nine following years or for such shorter period as may be necessary to accumulate thereby a sum of money equal to one-half the cost of said improvement, a similar tax each and every year of one-twentieth of a mill on the dollar; the fund so raised to be applied, with the money obtained by special assessment, to the payment of the bonds and interest issued pursuant to the directions of this act.

**SECTION 12.** This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 5, 1893.  
247L

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[House Bill No. 1481.]

### AN ACT

To authorize and direct the commissioners of Hamilton county, Ohio, to improve Mitchell avenue from its intersection with Spring Grove avenue to the north corporation line of Avondale, said county and state, all in Mill creek township.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Hamilton county, Ohio, be and they are hereby authorized and directed to improve Mitchell avenue from its

intersection with Spring Grove avenue to the north corporation line of Avondale, Hamilton county, Ohio, being the entire length of said avenue, as follows, to wit: By completing the necessary grading, macadamizing, graveling, rolling, and constructing the necessary drains and culverts thereon, using the present roadbed and metal thereon, as much of the same as can be used to advantage, but macadam, new and old, to be not less than fifteen (15) inches in the center and not less than ten (10) inches on the sides thereof, all well graveled and rolled; said avenue to be not less than sixty (60) feet in width, and the roadway not less than forty (40) feet in width, twenty (20) feet on each side of the center of said avenue, and the right of way for said improvement, through any and all lands, shall be furnished free of any cost or expense to said county.

SECTION 2. Said commissioners shall and they are hereby directed to forthwith cause the county engineer to prepare the necessary plats, profiles and specifications for improving said Mitchell avenue, from its intersection with Spring Grove avenue to the north corporation line of said Avondale, all in manner as aforesaid.

SECTION 3. Said commissioners shall let the contracts for improving the same after approval of the board of control of said county.

SECTION 4. To defray the expenses and the cost of improving said avenue, the commissioners are authorized and directed to issue and sell from time to time as necessary and with the approval of the board of control of said county, the bonds of said county to any amount not exceeding forty thousand dollars (\$40,000.00), to be known as the Mitchell avenue improvement bonds, and the proceeds of the sale of said bonds shall be placed in a fund to be known as the Mitchell avenue improvement fund, which shall be applied to the purposes above named. Said bonds shall be in denominations of five hundred dollars (\$500.00) each and bear interest not to exceed five (5) per cent. per annum, payable annually; one-tenth ( $\frac{1}{10}$ ) of the whole amount of said bonds shall fall due and be payable each consecutive year after the date of issue, for ten (10) years. Said bonds shall not be sold for less than the par value thereof.

SECTION 5. Said commissioners of said county are authorized and directed to levy, in addition to the amount they are now authorized by law to levy, upon the grand duplicate of all the taxable real and personal property of said county, a tax for each year said bonds are outstanding sufficient in amount to pay three-fourths ( $\frac{3}{4}$ ) of the amount of bonds falling due that year, with three-fourths ( $\frac{3}{4}$ ) of the accrued interest on the unpaid bonds of said issue, and three-fourths ( $\frac{3}{4}$ ) of the expenses of the assessment herein provided. And for the purpose of paying the other one-fourth ( $\frac{1}{4}$ ) of the amount of said bonds falling due, one-fourth ( $\frac{1}{4}$ ) of the accrued interest and expenses of assessment for that year, said commissioners are authorized and directed to assess for each year of said ten (10) years, upon the property abutting on said avenue, except streets or avenues opened or dedicated, intersected or crossed thereby, such sums as may be necessary, for the purposes herein expressed, not exceeding in said ten (10) years fifty cents (\$0.50) per front foot on each side of said avenue, and shall certify the amount necessary as aforesaid each year to the county auditor, to be by him entered upon the tax duplicate of the county for collection by the county treasurer, in such manner as provided for the collection of other taxes, in December of each year, and when collected to be credited to said Mitchell avenue improvement fund,

and said assessment shall commence at the completion of said improvement.

SECTION 6. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,

*Speaker pro tem. of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 12, 1893.

276L

[Senate Bill No. 538.]

## AN ACT

To open and improve an avenue in Columbia township, Hamilton county, Ohio, to be known as Columbian avenue.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Hamilton county, Ohio, be and they are hereby authorized and required to open, grade, gravel, macadamize and improve Columbian avenue in Columbia township, Hamilton county, Ohio, along the following route, to wit: Forty (40) feet in width on each side of the following described center line, beginning at a point near the center intersection of the Brotherton road and Red Bank avenue in section sixteen (16), thence south fifty-four (54) degrees fifty-five (55) minutes west twenty-three hundred and ten (2,310) feet to a stake, thence south forty-eight (48) degrees nineteen (19) minutes west three hundred and fifty-two (352) feet to a stake, thence south twenty-seven (27) degrees three (3) minutes west twenty-six hundred and ninety-seven (2,697) feet to a stake, thence north eighty-six (86) degrees fifty-three (53) minutes west parallel with, and eight hundred (800) feet south of the south rail of the Cincinnati, Portsmouth & Virginia railroad twenty-four hundred and eighty-three (2,483) feet to a stake, thence by curved line to the left of a radius of one hundred and forty-six (146) feet, three hundred and fifty (350) feet to a stake, thence south forty-three (43) degrees fifty-one (51) minutes east two hundred and ninety-five (295) feet to a stake, thence by curved line to the right of a radius of two hundred and seventy-seven and sixty-six hundredths (277.66) feet, four hundred and five (405) feet to a stake, thence south thirty-nine (39) degrees nine (9) minutes west four hundred and five (405) feet to a stake, thence south fifty-nine (59) degrees thirty-nine (39) minutes west one hundred and fifty (150) feet to a stake, thence south eighty (80) degrees twenty-four (24) minutes west two hundred and fifty (250) feet to a stake, thence north eighty-four (84) degrees four (4) minutes west about twenty hundred and fifty (2,050) feet to a point in the center of the Paxton road. The said commissioners are hereby instructed to improve said avenue in accordance with the plans, grade and survey now on file in the county surveyor's office of said county.

SECTION 2. One-half of the cost and expense of said improvement shall be assessed upon and collected from the owners of the lots and lands, and from the lots and lands situated in and within the bounds of the northwest quarter of section fifteen (15), the south half of section sixteen (16), the south half of section twenty-two (22), and the east half of section twenty-seven (27), and all of section twenty-one (21) of township four (4), fractional range two (2), Hamilton county, exclusive of any improvements thereon and in proportion to the acreage thereof, and the remaining one-half of the cost and expense of the said improvement, together with the interest on any bonds issued by the commissioners for the same, shall be levied and assessed upon all of the taxable property of said county, and said assessment shall be divided into five (5) annual payments.

SECTION 3. The said commissioners shall immediately appoint three (3) disinterested freeholders of the county as viewers, and said commissioners shall forthwith notify said viewers of the time and place to meet to make the view, and shall also give notice, by publication in a newspaper printed in the county, for two consecutive weeks prior to the meeting, which notice shall state the time and place of the meeting, the kind of improvement to be made, the place of the beginning of said improvement, and the place of termination and the route thereof.

SECTION 4. The viewers shall proceed to assess and determine the damages sustained by any person through whose premises the improvement is to be made; but they shall not be required to assess damages to any person, except idiots or lunatics, in consequence of the appropriation of any private property in the making of the improvement, unless the owner thereof, or his agent, file a written application with the viewers prior to the time of meeting, giving a description of the premises on which damages are claimed by them, and all applications for damages shall be barred unless they are presented as herein required; and any person feeling aggrieved by the assessment of damages made, may demand of the commissioners to have the same assessed by a jury, in which case the claimant may appeal to the probate court of the county, and the same proceedings shall there be had as are provided in chapter 4, title 7, part 2, of the Revised Statutes of Ohio; but the guardian of any minor, idiot or insane person may act for his ward, and all his acts shall be binding upon said ward.

SECTION 5. The viewers shall estimate the cost and expense of the improvement, and shall make report in writing within a reasonable time, to be fixed by the commissioners, of all action taken by them, which report shall be filed and kept with the county commissioners for public inspection.

SECTION 6. For the purpose of raising the money necessary to meet the expenses of the improvement, the commissioners of the county are hereby authorized and required to issue the bonds of the county, payable in instalments or at intervals not exceeding in all the period of five (5) years, bearing interest at the rate of not to exceed five (5) per centum per annum, payable semi-annually, which bonds shall not be sold for less than their par value. The assessment shall be placed upon the tax duplicate for taxation against the lots and land assessed, exclusive of any improvements thereon and in proportion to the acreage thereof, and collected in the same manner as other taxes, and the fund so raised to be applied with the money obtained by special assessment, to the payment of the bonds and interest issued pursuant to the direction of this act.

**SECTION 7.** The said commissioners, in addition to their other powers of taxation, are hereby authorized and required to collect in the grand levy of taxes on all the taxable property of said county, on the duplicate for the year 1893, a tax of such proportion of a mill on the dollar, and for the four (4) following years a similar tax, each and every year, of such proportion of a mill on the dollar as will raise a fund sufficient to pay the one-half of the total cost and expense of said improvement, together with the interest on any bonds issued by the commissioners under the provision of this act.

**SECTION 8.** Said commissioners are hereby authorized and required to begin forthwith the making of said improvement, with full authority to contract for the same at any time after the passage of this act, and said commissioners shall have sole and exclusive jurisdiction in making said improvement, and the assessment and levies for the same.

**SECTION 9.** This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,

*Speaker pro tem. of the House of Representatives*

ANDREW L. HARRIS.

*President of the Senate.*

Passed April 12, 1893.

277L

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[Senate Bill No. 450.]

## AN ACT

To authorize and direct the board of county commissioners of Hamilton county to extend and construct Court street from Gilbert avenue to Russell street, and to provide a fund therefor, and to repeal an act therein named.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Ohio,* That the board of county commissioners of Hamilton county, upon the request of the board of administration of the city of Cincinnati, shall and they are hereby authorized and directed to acquire by purchase, dedication or condemnation, all lands necessary to extend Court street in the city of Cincinnati from the east line of Gilbert avenue to Russell street, including the land and easements necessary for lateral support. If the land necessary for such extension, not dedicated to the public for the purpose, together with the land and easements necessary for lateral supports or any part thereof be acquired by purchase, the same shall be at a price not to exceed a price to be fixed by the board of administration of said city. And as to the land required for such extension, and the land and easements necessary for lateral support not acquired by dedication or purchase as aforesaid, said commissioners shall appropriate the same, and for such purpose they may bring proceedings in the probate court of the county or common pleas court in the same manner as is provided by law for the appropriation of private property by municipal corporations.

SECTION 2. To provide a fund to pay for such extension of Court street and for the construction thereof as hereinafter provided, said board of county commissioners shall, upon the request of said board of administration, from time to time, and as often as said board of administration think necessary, borrow and pay into the county treasury such sums of money as may be stated in said requests, not exceeding in the aggregate the sum of \$115,000, at a rate of interest not exceeding four (4) per cent. per annum. To secure the payment of the principal and interest thereof, the commissioners of said county shall issue bonds of said county in the mode and manner prescribed by sections 871 and 872, Revised Statutes of Ohio, and the act passed March 22, 1883, entitled "An act for the sale of public bonds" (80 O. L., 68); provided, however, that said bonds shall be issued with coupons, or registered, due in twenty years, but redeemable at any time after ten years from date. The money realized from the sale of said bonds shall be placed to the credit of a fund to be known as the Court street extension fund.

SECTION 3. The commissioners of said county shall, annually, at their June session, in addition to all other taxes authorized by law, levy such amount of taxes as will pay the interest on such indebtedness and create a sinking fund necessary to redeem the same at maturity. And if the commissioners refuse or neglect to levy such taxes regularly, as herein provided, the county auditor shall levy such taxes upon the taxable property of the county and place the same upon the tax list; and all the taxes levied and assessed under the provisions of this act shall be applied to the specific object for which they are levied, and no other.

SECTION 4. The money realized from the sale of said bonds, excepting so much as may be required to acquire the land and easements necessary for such extension of said street, shall be expended exclusively by and under the direction of the board of administration of said city of Cincinnati, in the construction of said extension by grading, setting curbs, paving the roadway between curbs with boulders, and constructing necessary culverts, drains and retaining walls; and in making the improvements herein provided the said board of administration shall be governed by the same laws and rules under which all street improvements are now made in such city; provided, however, that the said board of administration shall have exclusive authority to pass all necessary resolutions and ordinances, and to take all other necessary steps without any action or concurrence on the part of the board of legislation of said city.

SECTION 5. Disbursements for said improvement shall be upon orders signed by the president and clerk of the board of administration of said city when drawn pursuant to a resolution passed at any regular meeting of such board, on which orders the county auditor of said county shall issue his warrants to the treasurer of said county, to be paid out of the fund above provided for the sale of said bonds. If, on the completion of said improvement, an unexpended balance of said fund shall remain in the county treasury, such balance shall be immediately placed and kept to the credit of the sinking fund provided by this act.

SECTION 6. That the act passed April 18, 1892 (Ohio laws, vol. 89, page 674), entitled "An act to amend an act passed March 31, 1891, entitled an act to authorize the county commissioners of Hamilton county, Ohio, to levy a tax for grading, macadamizing, curbing, improving and extending Court street from Gilbert avenue to Russell street in the city of Cincinnati," be and the same is hereby repealed.

SECTION 7. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
 ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 13, 1893.  
 281L

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[House Bill No. 1620.]

### AN ACT

To authorize the commissioners of Hamilton county, Ohio, to build a bridge and approaches thereto across the Great Miami river, between Colerain and Whitewater townships, at the hamlet of Miamitown.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Hamilton county, Ohio, be and they are hereby authorized to build a suitable and a substantial iron bridge having a twenty-five foot driveway and approaches thereto, across the Great Miami river, between Colerain and Whitewater townships at or near the place where the present old wooden bridge now stands at the hamlet of Miamitown.

SECTION 2. For the purpose of raising funds to defray the cost of making said improvement, the commissioners are hereby authorized to issue bonds of Hamilton county in a sum not exceeding seventy-five thousand dollars, in denominations of five hundred dollars each, bearing interest at a rate not to exceed five per centum per annum; said bonds to be negotiable and payable within fifteen years from date of issue, and to be signed by the commissioners and countersigned by the auditor who shall keep a record of all said bonds.

SECTION 3. The commissioners shall, annually, at their June session, levy a tax during the period said bonds have to run, upon all the taxable property of said county sufficient in amount to pay the said bonds and the interest thereon as the same may become due.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
 ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 13, 1893.  
 284L

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[House Bill No. 1753.]

### AN ACT

To authorize the trustees of Columbia township, Hamilton county, Ohio, to widen and improve that part of Erie avenue lying between Edwards road and Michigan avenue, in section 27 of said township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Columbia township, Hamilton county, Ohio,

be and they are hereby authorized and required to widen and improve that part of Erie avenue, from Edwards road eastwardly to Michigan avenue in section twenty-seven (27) of said township. That said Erie avenue shall be widened and graded to the full uniform width of one hundred and sixty (160) feet (that is, to make it eighty (80) feet in width on each side of the center line of said avenue) from Edwards road to the east side of Michigan avenue, and shall be improved by paving the driveway to the full width of one hundred and thirty (130) feet (that is, sixty-five (65) feet on each side of the center line of said avenue) with the best of vitrified brick, including curbs and gutters; but before said avenue shall be widened and improved, a petition of the owners of a majority of the feet front of the lots and lands abutting on such part of said Erie avenue shall first be filed with the trustees of said township, requesting the widening and improving of said avenue.

SECTION 2. Said trustees are hereby authorized and empowered to purchase the necessary ground on the north and south sides of said part of Erie avenue to widen the same to the required width, and should said trustees fail to agree with the owners or any one of them, as to the purchase of said ground, then they shall immediately make application to the probate court of the county as provided in section 2236 of the Revised Statutes of Ohio, for the appropriation of said ground, and thereafter, as far as practicable, the proceedings shall conform to and be had under the provisions of sections 2236 to 2261, inclusive, of the Revised Statutes of Ohio.

SECTION 3. All the cost and expense of widening and improving said part of said avenue, together with the compensation to be allowed to the owners of the property for property purchased or appropriated, and the interest on any bonds issued by the trustees for the same, together with a reasonable compensation for their services, shall be levied and assessed upon each front foot of the lots and lands abutting on each side of said part of said avenue to be improved, and shall be a lien from the date of the assessment upon the respective lots or parcels of lands assessed; said assessment shall be payable in five (5) annual payments, and shall be paid to the county treasurer as other taxes, and the option of paying his portion of such assessment in full within a period of twenty (20) days before the levy thereof, shall be given to each of the property owners, but no notice to the property owners of such option shall be necessary. The township treasurer shall, on or before the second Monday of September, annually, certify all unpaid assessments to the county auditor, and the same shall be placed upon the tax list, and shall be collected by the county treasurer in the same manner as other taxes are collected, and when collected he shall pay the same to the township treasurer; and all moneys received by the township treasurer on such assessments shall be applied to the payment of the bonds issued under this act, and for no other purpose; and for the purpose of enforcing the collection of the assessments so certified to him, the county treasurer shall have the same power and authority now allowed by law for the collection of state and county taxes.

SECTION 4. For the purpose of raising money necessary to meet the expense of the improvement, the trustees of Columbia township are hereby authorized and directed to issue the bonds of the township, payable in instalments or at intervals not exceeding in all the period of five



(5) years, bearing interest at the rate of six (6) per cent. per annum, which bonds shall not be sold for less than their par value.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 13, 1893.  
287L

[House Bill No. 1627.]

### AN ACT

To authorize the commissioners of Hamilton county to complete the improvement of West Fork road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Hamilton county, Ohio, be and they are hereby authorized to levy, assess and collect upon the grand duplicate of the taxable property of said county, a tax of  $\frac{1}{16}$  of one mill on the dollar which shall be used first to complete West Fork road from the south side of Colerain pike to the intersection of Westwood road, and second for the improvement of said West Fork road from its intersection with the Westwood road to the east line of Green township, by grading, macadamizing and building the necessary culverts and retaining walls.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 13, 1893.  
290L

[House Bill No. 1678.]

### AN ACT

To authorize the village of Delhi, Hamilton county, to borrow money and issue bonds therefor, to pay for street improvements.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Delhi, in the county of Hamilton, state of Ohio, be and hereby is authorized to borrow money, not exceeding three thousand dollars (\$3,000) in amount, to be used for paying

for general street improvements in the village, and to issue bonds of said village therefor, the same to bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, and to be of such denominations and to mature at such times as said council shall determine; provided that such bonds shall not be sold for less than their par value.

SECTION 2. Said council is hereby authorized to levy such amount of tax upon the taxable property of said village as may be necessary to pay the interest and principal of such bonds when the same become due; said tax to be levied and collected in the same manner as taxes for general purposes are levied and collected.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 13, 1893.  
291L

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[House Bill No. 1679.]

## AN ACT

To authorize the commissioners of Hamilton county, Ohio, to improve Michigan and Shaw avenues, in section 27, Columbia township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Hamilton county, Ohio, be and they are hereby authorized and required to improve Michigan and Shaw avenues, or either of them, by grading, macadamizing, graveling, guttering and curbing, as shown and indicated upon the plans, profile and map of said avenues recorded in the county surveyor's office of said county, but before said avenues, or either of them, shall be improved, a petition of the owners of a majority of the feet front of the lots and lands abutting on said avenues, shall first be filed with the commissioners of said county, requesting the improvement of the same.

SECTION 2. All the cost and expense of making such improvements, on each road, together with the interest on any bonds issued by the commissioners for the same, shall be levied and assessed upon each front foot of the lots and lands abutting on each side of said avenues to be improved, and shall be a lien from the date of the assessment upon the lots or parcels of lands assessed; said assessment shall be payable in ten (10) annual payments, and the option of paying his portion of such assessment in full within a period of twenty (20) days from the date of the levy thereof, shall be given to each of the property owners, but no notice to the property owners of such option shall be necessary. Said assessment shall be certified to the county auditor and the same shall be placed on the tax list and shall be collected by the county treasurer in the same manner as other taxes are collected, and all moneys received by the county treasurer on such assessment shall be applied to the payment

of the bonds issued under this act and for no other purpose. And for the purpose of enforcing the collection of the assessment the county treasurer shall have the same power and authority now allowed by law for the collection of state and county taxes.

SECTION 3. For the purpose of raising money necessary to meet the expense of said improvement, the commissioners of Hamilton county, Ohio, are hereby authorized and required to issue the bonds of the county, payable in instalments, or at intervals not exceeding in all the period of ten (10) years, bearing interest at a rate of five (5) per centum per annum, which bonds shall not be sold for less than their par value.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 18, 1893.  
292L

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[Senate Bill No. 582.]

## AN ACT

To amend section three of an act entitled "An act to amend section 1001 of the Revised Statutes, as amended March 26, 1880," passed April 14, 1884 (81 O. L. 193).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section three of an act entitled "An act to amend section 1001 of the Revised Statutes, as amended March 26, 1880," passed April 14, 1884, be amended so as to read as follows:

Sec. 3. In Hamilton county the solicitor now holding said office or who may be hereafter elected to such office may appoint two assistant solicitors, subject to the approval of the court of common pleas, each of said assistants to receive a salary of twenty-five hundred dollars per year, payable in the same manner as that of the solicitor.

SECTION 2. That said original section three of said above entitled act be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 19, 1893.  
319L

[Senate Bill No. 59.]

## AN ACT

To authorize and direct the commissioners of Hamilton county, Ohio, to condemn property for and construct a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of county commissioners of Hamilton county, Ohio, are hereby authorized and directed to acquire, either by condemnation or by purchase, the lands necessary for the purpose of extending the Asbury road from a point beginning at or near the southwest corner of school district number 15, in Anderson township, of said county, and running thence north to a point on the south side of the Ohio turnpike, which point is the northeast corner of the lands of Frederick Kidd, and the northwest corner of the lands of George Sheldon; said road so to be extended to be not less than fifty (50) feet in width.

SECTION 2. That said board of county commissioners shall, as soon as they have acquired said lands for said extension as aforesaid, improve said Asbury road from the Ohio turnpike as aforesaid, running southwardly along said extension, and thence continuing southwardly along the old Asbury road the full width of fifty (50) feet, to and in front of the residence of S. W. Markley, and from that point to the center of the Columbia and New Richmond turnpike, at a point nearly opposite the seven-mile landing, by grading and macadamizing the same, and constructing the necessary bridges and culverts.

SECTION 3. For the purpose of raising the necessary funds to meet the cost of said extension and improvement, said commissioners are hereby authorized and directed to issue and sell the bonds of said county, in denominations of not less than five hundred (\$500.00) dollars, payable in not less than twenty years; said bonds shall bear interest at a rate not to exceed five per cent. payable semi-annually, and shall not be sold for less than their par value.

SECTION 4. That for the purpose of providing a fund to meet the payment of said bonds and interest, the said board of county commissioners, in addition to their other powers of taxation, are hereby authorized and directed to levy, annually, for the period of twenty years, upon all the taxable property of said county, a tax not exceeding one sixty-fifth of a mill. Said funds so raised shall be applied towards the payment of said bonds and interest, and if there is any balance remaining the same shall be transferred to the general fund of said county.

SECTION 5. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,

*Speaker pro tem. of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 20, 1893.

322 L

[House Bill No. 1491.]

## AN ACT

To authorize and direct the commissioners of Hamilton county, Ohio, to widen, extend, grade, macadamize and improve Fairview and Bolce avenues, in Cincinnati and Columbia townships, Hamilton county, Ohio, from Madison avenue, formerly Madisonville turnpike, to the Duck creek road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Hamilton county, Ohio, be and they are hereby authorized to widen, extend, grade and improve Fairview and Bolce avenues, in Cincinnati and Columbia townships, in said county, as one continuous thoroughfare from Madison avenue, formerly Madisonville turnpike, to the Duck creek road, in accordance with and as per plans as shown upon the plat thereof on file in the county surveyor's office in said county; and to set curbs, place crossings, flag and pave gutters, macadamize the roadway and construct all necessary drains for said avenues so to be widened and extended.

SECTION 2. Said improvements may be commenced by said commissioners as soon as there shall be filed with them a petition therefor, signed by the owners of a majority of the property represented by the front feet abutting on said proposed improvement.

SECTION 3. The cost and expense of obtaining the property to widen and extend said avenues, as shown by said plat, shall be levied and assessed upon each front foot of the lots and lands abutting upon said avenues so widened and extended, between said Madison avenue, formerly Madisonville turnpike, and said Duck creek road. Said assessment shall be paid in two semi-annual instalments, and in case of default in the payment of the same, said commissioners shall certify any unpaid assessment to the county auditor, to be placed upon the tax duplicate for collection as other taxes. For the purpose of obtaining the land for widening and extending said avenues as shown on said plat, said commissioners shall order the county solicitor to institute appropriation proceedings, as provided by law for like purposes by municipal corporations, and the said commissioners, in anticipation of the collection of said assessment, shall pay out of the general fund the amount of the appropriation proceedings.

SECTION 4. One-half of the entire cost of improving and constructing said avenues so widened and extended, shall be levied and assessed upon each front foot of the property abutting thereon, and said assessments shall be paid and collected in the same manner and at the same time as provided in section 3. And to provide for the other half of said cost said commissioners of Hamilton county, Ohio, in addition to their other powers of taxation, are hereby authorized to levy and collect in the grand levy of taxes on all the taxable property of said county on the duplicate for the year 1893, a tax of one-one-hundred-and-fiftieth of a mill on the dollar, and for the nine following years a similar tax each and every year of one-one-hundred-and-fiftieth of a mill on the dollar, the funds so raised to be applied, with the money obtained by special assessment, to the payment of the bonds and interest issued pursuant to the directions of this act, and for no other purpose.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*

ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 21, 1898.  
831L

[House Bill No. 1677.]

### AN ACT

To authorize the trustees of Columbia township, Hamilton county, Ohio, to construct sidewalks on a certain road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Columbia township, Hamilton county, Ohio, are hereby authorized to construct sidewalks on the east side of Edwards road, from its intersection with the Linwood road northwardly to the Madisonville road, also on the north side of Erie avenue, from its intersection with Edwards road to its intersection with the Paxton road.

SECTION 2. Said trustees shall employ a competent engineer, under whose direction the work shall be done, and who shall also prepare plans, specifications and estimates for the construction of said sidewalks and file the same with said trustees, and thereupon the said trustees shall advertise for proposals to construct said sidewalks, and shall award the contract to the lowest bidder, who shall furnish sufficient and good sureties for the faithful performance of said work; said sidewalks shall be four (4) feet in width and shall be constructed of cement; there shall be crossings on the intersecting streets, which shall be constructed of two (2) rows of flagstones laid parallel with each other; ten (10) days' notice shall be given of the advertisement for proposals and the sale of bonds under this act, and like notice shall be given of the levying of the assessment, the notice to be by publication twice in a newspaper of general circulation in the county.

SECTION 3. All the cost and expense of constructing the sidewalks on each road, together with the interest on any bonds issued by the trustees for the same, shall be levied and assessed upon each front foot of the lots and lands abutting on the side of such road where said sidewalk is laid, between the points named in section one (1) hereof, and shall be a lien from the date of the assessment upon the respective lots or parcels of lands assessed; said assessment shall be payable in ten (10) semi-annual payments, and the option of paying his portion of such assessment in full within a period of twenty (20) days from the date of the levy thereof shall be given to each of the property owners, but notice to the property owners of such option shall be necessary. The township treasurer shall, on or before the second Monday of September annually, certify all unpaid assessments to the county auditor, and the

~~same~~ shall be collected by the county treasurer in the same manner as other taxes are collected, and when collected he shall pay the same to the township treasurer, and all moneys received by said township treasurer shall be applied to the payment of the bonds issued under this act and for no other purpose, and for the purpose of enforcing the collection of the assessment so certified to him, the county treasurer shall have the same power and authority now allowed by law for the collection of state and county taxes.

SECTION 4. For the purpose of raising money necessary to meet the expense of the improvement, the trustees of Columbia township are hereby authorized to issue the bonds of the township, payable in instalments or at intervals not exceeding in all the period of six (6) years, bearing interest at the rate of six (6) per centum per annum, which bonds shall not be sold for less than their par value.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 21, 1893.

334L

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[House Bill No. 1109.]

## AN ACT

To authorize and direct the commissioners of Hamilton county, Ohio, to levy a tax, in addition to the levy heretofore authorized, to build a bridge and approaches across the west fork of Mill creek, and in addition to the amount they are now by law authorized to levy, and to issue bonds therefor, and pay interest thereon.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Hamilton county, Ohio, be and they are hereby authorized and directed to make a levy, in addition to the tax, heretofore authorized to be levied therefor (89 O. L. 624), upon all the taxable property upon the duplicate of said Hamilton county, Ohio, for the purpose of supplying deficiencies in the former levy for the purpose of building a suitable and substantial iron bridge and approaches thereto, across the west fork of Mill creek, on Llewellyn street between Dreman and Ralston avenues, in said county, and paying interest on the bonds issued therefor, of one-three-hundredths ( $\frac{1}{300}$ ) of a mill annually, in addition to the amount now authorized by law, during the period the bonds hereinafter provided for have to run, and shall certify the same to the county auditor, on or before the first Monday of June of each and every year, beginning with the current year.

SECTION 2. That the commissioners of the said county, in anticipation of said tax to be levied, are hereby authorized and directed to, and they shall make and issue, within ten (10) days from the passage of

this act, bonds of said county to the amount of eight thousand (\$8,000.00) dollars, having ten (10) years to run; said bonds to be in addition to those authorized to be issued under the provisions of said 89 O. L. 624.

SECTION 3. Said bonds shall be issued in such sums as said board of county commissioners shall determine, and shall be made payable ten (10) years from the date thereof, and shall bear interest at a rate not exceeding five (5%) per cent. per annum, payable semi-annually, and shall be signed by the commissioners of said county, or any two of them, and countersigned by the county auditor. Said bonds shall not be sold for less than their par value after advertising for bids, according to law.

SECTION 4. The proceeds arising from the sale of said bonds shall be used for the construction of said bridge, substructure and superstructure, together with the necessary approaches thereto, and for paying the interest on the said bonds, and for no other purpose whatever, nor shall any part of said money arising from the sale of said bonds be transferred to any other fund, or funds, or be diverted from the subject expressed herein.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 22, 1893.  
342L

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[Senate Bill No. 564.]

### AN ACT

To authorize the commissioners of Hamilton county to levy a tax for improving, grading and macadamizing the Martin road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Hamilton county, Ohio, be and they are hereby authorized to assess and collect upon the general levy of all the taxable property of said county, a tax of one-fortieth of a mill on each dollar valuation thereof, all of which shall be collected on the tax duplicate of 1893, for the purpose of completing the Martin road in Sycamore and Columbia townships, beginning at the Montgomery turnpike and extending southwardly to the town of Madisonville.

SECTION 2. The money arising from said tax shall be applied to the completion of said road under the direction of the county commissioners.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 22, 1893.  
344L



[Senate Bill No. 569.]

## AN ACT

To authorize the commissioners of Hamilton county to improve the Walnut Hills and Union bridge turnpike road, commonly known as the Linwood plank road.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Hamilton county be and they are hereby authorized to improve, as herein provided, the Walnut Hills and Union bridge turnpike road, commencing at the intersection of said road with the Cincinnati, Oakley and Madison avenue, thence running eastwardly with the line of said turnpike to the observatory road, a distance of about forty-five hundred feet, and to a width of sixty feet.

**SECTION 2.** To facilitate the execution of the preceding section, the said commissioners may appoint three freeholders of said county as appraisers, to award damages to abutting property holders, and to view and obtain the right of way over said turnpike by dedication, or to agree with the owners of said turnpike for the purchase of the entire turnpike, all of which is to be subject to the approval of said commissioners; and said appraisers shall serve without compensation.

**SECTION 3.** Said commissioners shall forthwith notify the appraisers of the time and place of their meeting to meet the owners of said turnpike and the abutting property holders along the line of said improvement, and shall also give notice by publication twice in a newspaper of general circulation in the county for twenty days prior to the meeting, which notice shall state the time and place of meeting, and also that any property holder claiming damages by reason of said improvement shall file his claim with the appraisers prior to said meeting; the appraisers shall proceed to assess and determine the damages sustained by any person by reason of said improvement being made, but they shall not be required to assess damages to any person except minors, idiots or lunatics in consequence of the making of said improvement, unless the owner thereof, or his agent, file his application with the appraisers prior to the time of meeting, giving the description of the premises on which damages are claimed by him; and all applications for damages shall be barred unless they are presented as herein provided. And any person feeling aggrieved by the assessment of the damages made, may demand of the commissioners to have the same assessed by a jury, in which case the claimant may appeal to the probate court of the county, and there the same proceedings shall be had as are provided in chapter 4, title 7, part 2 of the Revised Statutes of Ohio; but the guardian of any minor, idiot or insane person may act for his ward, and all his acts shall be binding upon such ward.

**SECTION 4.** If the said appraisers and the owners of said turnpike fail to agree as to the amount of compensation, the said appraisers shall report the same to the commissioners, with a description of the property sought to be appropriated, and the said commissioners are hereby required to proceed in their name to ascertain and adjust the compensation for all of said turnpike road, under and in accordance with the law providing for the appropriation of private property for street purposes by a municipal corporation.

**SECTION 5.** Said commissioners, upon obtaining the right of way, are hereby authorized to improve said turnpike between the points named

in section 1 hereof, in accordance with the grade established thereon, by an ordinance of the city of Cincinnati, known as No. 134, duly passed on the 13th day of November, 1891, by grading and macadamizing said road, and constructing the necessary bridges and culverts; and they may at once advertise for bids for ten consecutive days in a newspaper of general circulation in the county for improving said road, and shall award the contract to the lowest and best bidder therefor.

SECTION 6. One-half of the cost and expense of said improvement shall be levied and assessed upon each front foot of the lots and lands abutting on each side of said road between the points mentioned in section one hereof, and shall be a lien from the date of the assessment upon the respective lots or parcels of land assessed; said assessment shall be payable in five annual payments, and shall be payable to the county treasurer as other taxes; the option of paying his portion of such assessment in full within a period of twenty days from the date of the levy thereof, shall be given to each of the property owners; but no notice to the property owners of such option shall be necessary.

SECTION 7. The said commissioners, in addition to their other powers of taxation, are hereby authorized to collect in the grand levy of taxes upon all the taxable property of said county on the duplicate for the years 1893, 1894 and 1895, and each year a tax of one-twentieth of a mill on the dollar, and the funds so raised shall be used to pay the remaining cost and expense of said improvement, together with the interest on any bonds issued by the commissioners under the provisions of this act.

SECTION 8. For the purpose of raising the money necessary to meet the expense of the improvement, the commissioners of the county are hereby authorized to issue the bonds of the county payable in instalments or at intervals, not exceeding in all a period of five years, bearing interest at the rate of not to exceed five per cent. per annum, payable semi-annually, which bonds shall not be sold for less than their par value.

SECTION 9. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 22, 1893.  
345L

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[House Bill No. 438.]

### AN ACT

To authorize and direct the county commissioners of Hamilton county, Ohio, to purchase that part of the extension of the Lower river road turnpike, situate, lying and being in the village of Riverside, and to maintain the same a free turnpike.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of county commissioners of the county of Hamilton, be and it is hereby authorized and instructed to purchase for said

county the extension of the Lower river road turnpike, situate, lying and being in the townships of Delhi and Miami, and owned by the extension of the Lower river road company, and thereafter to be a free turnpike and kept in repair as other free turnpikes in said county. When purchased and before any payment is made therefor, the owner or owners to execute to the county of Hamilton a good and sufficient deed of conveyance and to the satisfaction of said board of county commissioners.

SECTION 2. That in case said board of county commissioners and the owners of said extension of the Lower river road turnpike can not agree upon a purchase price, said board and owners may cause an appraisement thereof to be made by three disinterested freeholders of said county, one to be selected by said board, one by said owners and the third appraiser to be chosen by the two appraisers selected as aforesaid.

SECTION 3. That the appraisers selected and chosen under the provisions of this act shall, under oath upon actual view, appraise the extension of the Lower river road turnpike, which the said county commissioners are hereby authorized to purchase at its true value, and make return in writing of their appraisement within ten days after their qualification. If the owner or owners refuse to sell at the appraised value, or if the said board refuse to complete the purchase at the appraised value, the said county commissioners shall, within twenty days thereafter, proceed in their name to ascertain and adjust the compensation for said turnpike, or any part thereof, under and in accordance with the law providing for the appropriation of private property for street purposes by corporations. And when the value of said property has been fixed by the jury, the said board of county commissioners shall take the same and proceed forthwith to issue the bonds hereinafter provided for, and with the fund thus realized, pay the amount of said compensation assessed by the jury, and the costs.

SECTION 4. That for the purpose of providing funds to pay the purchase price or compensation for said extension of the Lower river road turnpike situate in said townships of Delhi and Miami, said board of county commissioners is hereby authorized and instructed to issue the bonds of said county in any sum not exceeding twelve thousand (\$12,000.00) dollars, and payable at such times not exceeding twenty years from the date of the same as to said board may seem proper, bearing a rate of interest not exceeding five per cent. per annum, payable semi-annually. Said county bonds shall not be sold or otherwise disposed of at less than their par value; the bonds to be issued not to exceed five hundred dollars nor less than fifty dollars in denomination.

SECTION 5. The said commissioners are hereby authorized to levy, annually, in addition to their power of taxation, upon all the taxable property in said county, a sum sufficient to pay the interest on said bonds, and to create a sinking fund for the final redemption thereof.

SECTION 6. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 24, 1893.

347L

[House Bill No. 981.]

## AN ACT

To authorize the commissioners of Hamilton county to levy and collect a tax and construct an approach to West Eighth street, in Delhi township, Hamilton county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Hamilton county, in addition to their powers of taxation, be and they are hereby authorized to levy and collect, in the grand levy of taxes, on the taxable property of said county, on the duplicate for the year 1893, a tax of .059 of a mill on the dollar; the fund so raised to be denominated the "southern approach to West Eighth street fund," and to be applied to the cost and expense of constructing an "approach" to said West Eighth street, Delhi township, Hamilton county. Said approach shall be sixty feet in width and so constructed as to furnish full and complete access to West Eighth street near the terminus of said street in Delhi township, in said county, and in accordance with the plans, grade and survey made by the county engineer, and which said survey shall substantially conform to the following description, to wit: Commencing at a point in the county road near the Catholic school-house in section eleven, Delhi township, and at the southeast corner of a tract of land owned by P. T. Williams in said section, thence northerly along the east line of said Williams' tract of land to the south end of Greenwell road, thence northerly along said road to the south line of section twelve, thence easterly along the south line of said section twelve to the southeast corner of said section, thence northerly along the east line of said section twelve to West Eighth street, the terminus of the approach; provided that the estimated assessment for said approach shall not exceed fourteen thousand dollars.

SECTION 2. Whenever the persons owning the land on which the site of the said approach is located shall have duly granted the right of way and easement for said approach to the county commissioners of Hamilton county, the county solicitor shall certify the fact of said conveyance having been made to the county commissioners, and said commissioners, with the fund herein provided, or so much as may be necessary therefor, shall proceed to construct the approach on the site for which the right of way and easement have been granted to the county commissioners.

SECTION 3. The county engineer of said county is hereby authorized to prepare specifications and an estimate of cost and expense of the said improvement, and file the same with the county commissioners. Said commissioners shall have sole and exclusive jurisdiction in making said improvement. The engineer shall be allowed such compensation for his services as the commissioners shall deem proper.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives*  
ANDREW L. HARRIS,  
*President of the Senate*

Passed April 24, 1893.  
348L

[House Bill No. 1165.]

## AN ACT

Supplementary to "An act to authorize the commissioners of Hamilton county to construct an extension of Elberon avenue," passed May 4, 1891 (88 O. L., 904).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That "An act to authorize the commissioners of Hamilton county to construct an extension of Elberon avenue," passed May 4, 1891, be and the same is hereby supplemented as follows:

SECTION 2. That the commissioners of Hamilton county be and they are hereby authorized to complete Elberon avenue in the city of Cincinnati from Bassett road, otherwise called Kalon street, to State avenue, to the full width of sixty feet, by grading, macadamizing, curbing, flagging, guttering and constructing the necessary drains, bridges and culverts, as provided by section 1 of said act to which this is supplementary.

SECTION 3. That the said commissioners, in making the assessment provided for in section 3 of said act, to which this is supplementary, may provide that said assessment shall be payable in two annual instalments.

SECTION 4. For the purpose of raising money with which to defray the cost of completing said avenue, said commissioners are hereby authorized to issue bonds of Hamilton county to an amount not exceeding seventy-five thousand dollars (\$75,000.00), in denominations of not less than one hundred dollars (\$100.00), and not more than one thousand dollars (\$1,000.00) each, bearing interest at a rate not to exceed five per centum per annum, payable semi-annually; said bonds to be negotiable in form and payable within twenty (20) years from the date of issue, and to be signed by the said county commissioners and countersigned by the auditor of said county, who shall keep a record thereof. Said bonds shall be issued from time to time as may be required, to meet the payments provided for under this act; provided, that said bonds shall not be sold for less than the par value thereof; that the proceeds shall be credited to a fund to be known as the "Elberon avenue fund," and that the proceeds of said bonds shall not be used for any purpose other than that designated in this act.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 24, 1893.

349L

[House Bill No. 1824.]

## AN ACT

To authorize the council of the incorporated village of Mount Airy to use certain funds for the construction of sidewalks.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Mount Airy, in the

county of Hamilton, be and the same is hereby authorized to use and expend from the police and fire department funds of said village a sum of money not exceeding in the aggregate the sum of seven hundred and eighty-one dollars, for the purpose of using the same in the construction of sidewalks.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 24, 1898.

854L

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[House Bill No. 1828.]

## AN ACT

To authorize the village of Westwood, Hamilton county, Ohio, to issue and sell bonds for the construction of an electric light plant.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Westwood, Hamilton county, Ohio, be and it is hereby authorized to submit to the qualified electors of said village, at either a general or special election, the question of issuing and selling the bonds of said village to an amount not exceeding twenty-five thousand (\$25,000.00) dollars, the proceeds of said bonds to be used in the construction of an electric light plant, for the purpose of lighting the streets and public buildings of said village, and supplying light to private consumers at such price as may be fixed by said council. Due notice of the submission of said question and the time thereof shall be given by publication twice a week for three consecutive weeks prior to said election in one or more daily newspapers of general circulation in said village; said publication shall state the amount of bonds which it is desired to issue; the purpose to which the proceeds of said bonds are to be applied; the time they shall have to run; the denomination and the rate of interest. Said election shall be held at the usual place of holding elections and shall be conducted by the same officers and in the same manner as elections for village officers of said village. Ballots in favor of the issue of said bonds shall have written or printed on them, "For the issue of electric lighting bonds—Yes;" ballots against the issue of said bonds shall have written or printed on them "For the issue of electric lighting bonds—No." The judges and clerks of said election shall canvass the vote upon said question and certify the result to the council of said village, and shall deposit the poll-book and tally-sheet with the clerk of the village.

SECTION 2. At any subsequent regular meeting of said council, the certificate of the result of said election shall be read and spread on the minutes of the council, and if it shall be found that a majority of all the ballots cast upon said question have been in favor of the issue of said

bonds, the council may, at any time thereafter, proceed to issue and sell in accordance with law, the bonds of said village, to an amount not exceeding twenty-five thousand (\$25,000.00) dollars, and conforming in other respects to the notice of the submission of said question published prior to said election, and apply the proceeds of the sale of said bonds to the purposes set forth in section 1 of this act.

SECTION 3. The council of said village is hereby authorized to levy a tax upon all the real and personal property in said village, in addition to the amount they are now by law authorized to levy, sufficient to pay the interest on said bonds as the same shall accrue, and to provide a sinking fund for the payment of said bonds when the same shall have become due.

SECTION 4. This act shall take effect and be in force from and after its passage; and the act passed February 23, 1893, entitled "An act to authorize the village of Westwood, Hamilton county, Ohio, to issue and sell bonds for the construction of an electric light plant," is hereby repealed.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed April 24, 1893.

362L

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[House Bill No. 1619.]

## AN ACT

To supplement an act passed March 4, 1892, entitled "An act to authorize and direct the commissioners of Hamilton county to extend and construct West Eighth street, including a viaduct or bridge across Boldface road, Cincinnati, and to provide a fund therefor."

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the act passed March 4, 1892, entitled "An act to authorize and direct the commissioners of Hamilton county to extend and construct West Eighth street, including a viaduct or bridge across Boldface road, Cincinnati, and to provide a fund therefor," be and the same is hereby supplemented with sectional numbering, as follows:

Sec. 7. To provide an additional fund to complete the extension of said West Eighth street and to pay for the completion of the construction thereof, and of the bridge or viaduct provided for by said act, passed March 4, 1892, entitled "An act to authorize and direct the commissioners of Hamilton county to extend and construct West Eighth street, including a viaduct or bridge over Boldface road, Cincinnati, and to provide a fund therefor," said board of county commissioners of Hamilton county shall, upon the request of said board of administration of the city of Cincinnati, borrow and pay into the county treasury, in addition to the amount authorized by section 2 of the said act passed March 4, 1892, the sum of \$30,000, at a rate of interest not exceeding 4 per cent. per annum. To secure the payment of the principal and interest of said addi-

tional sum of \$30,000, the commissioners of said county shall issue bonds of said county in the mode and manner prescribed by said section 2 of said act of March 4, 1892, with reference to the issue of bonds therein provided for. And for the purpose of defraying in part, the cost of extending and improving said street, said commissioners shall assess upon the property abutting thereon between the west line of Elberon avenue and the west line of Enright avenue, the sum of two dollars (\$2.00) per front foot on each side of said street, and shall certify the same to the county auditor to be by him entered upon the tax duplicate of the county for collection by the county treasurer in the manner provided for the collection of taxes, said assessment may be made in advance and may be collected in two annual instalments, and when collected to be credited, together with the money arising from the sale of said bonds shall be placed to the credit of the fund known as the "West Eighth street extension fund," provided for by said section 2 of said act of March 4, 1892.

Sec. 8. The commissioners of said county shall, annually, at their June session, in addition to all other taxes authorized by law, levy such amount of tax as will pay the interest on such additional indebtedness and create a sinking fund necessary to redeem the same at maturity. And if the commissioners refuse or neglect to levy such taxes regularly, as herein provided, the county auditor shall levy such taxes upon the taxable property of the county and place the same upon the tax list; and all the taxes levied and assessed under the provisions of this act shall be applied to the specific object for which they are levied, and no other.

Sec. 9. The money arising from the sale of said bonds shall be expended exclusively by and under the direction of the board of administration of said city of Cincinnati, for the purpose and in the manner provided by section 4 and section 5 of said act of March 4, 1892, and all the provisions and requirements of said sections 4 and 5 of said act of March 4, 1892, are hereby made applicable to the disbursement and disposition of said additional sum herein provided for.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 25, 1893.  
369L

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[Senate Bill No. 414.]

## AN ACT

To authorize and direct the commissioners of Hamilton county, Ohio, to widen, extend and improve the Paddock road from its present southern terminus to the north corporation line of the village of Glendale in Hamilton county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Hamilton county, Ohio, be and are



hereby authorized to widen, extend and improve the Paddock road from its present southern terminus to the north corporation line of the village of Glendale, in Hamilton county, as follows, to wit: Said commissioners are authorized to acquire by condemnation in accordance with the laws providing for the appropriation of private property for public purposes by municipal corporations, a strip of land ten (10) feet more or less in width on each side of the Paddock road, as now laid out, from its present southern terminus in or near the village of Avondale to its northern terminus in or near the village of Carthage, for the purpose of widening said road to the full width of eighty (80) feet; also, to acquire, in like manner, a strip of land eighty (80) feet in width, extending northwardly in as nearly a direct line as the said county commissioners may determine from and forming the prolongation of said Paddock road, from its present northern terminus in the village of Carthage, Ohio, to its point of intersection or coincidence with the Hamilton, Springfield and Carthage turnpike, at or near the southern terminus of said turnpike; also, to acquire in like manner all the right, title, interest and franchises of the said Hamilton, Springfield and Carthage turnpike company, in and to so much of said turnpike as lies between its point of intersection or coincidence with said Paddock road as above extended, and the south corporation line of Glendale, Ohio; and said turnpike shall become a free road between said points, and to acquire in like manner a strip of land ten (10) feet more or less in width on each side of the said Hamilton, Springfield and Carthage turnpike, for the purpose of widening said turnpike to the full width of eighty (80) feet from its point of intersection or coincidence with the said Paddock road, extended as above, to the south corporation line of the village of Glendale, Ohio; also, to acquire in like manner the rights, title, interests and franchises of the Glendale and Port Union turnpike company, or its successors and assigns, to so much of the Glendale and Port Union turnpike, also known as the Princeton pike, as lies within the village of Glendale, Ohio, and said portion of said turnpike when so acquired shall become a free road; also, to acquire in like manner all lands by way of easements for sloping cuts and fills that may be necessary for grading and improving said extended and widened Paddock road between its present southern terminus and the north corporation line of the village of Glendale to the full width of eighty (80) feet, as hereinafter provided; except so much thereof as lies within the village of Glendale, which shall remain of its present width. The commissioners of said county are hereby authorized and directed to accept any of said lands to be acquired for the above purposes that may be dedicated by the owners thereof, or to acquire by purchase for said purposes any of said lands that may be offered for sale by the owners thereof, at prices which said commissioners may deem just and reasonable, and which may be approved by the board of control of said county.

SECTION 2. Said commissioners may, and they are hereby authorized to forthwith cause the county engineer to prepare the necessary plats, profiles and specifications for widening, extending and improving said Paddock road between its present terminus in or near the village of Avondale and the north corporation line of the village of Glendale, Ohio, to the full width of eighty (80) feet; except so much as lies within the village of Glendale, which shall remain of its present width; for grading the same so that no portion thereof shall have a grade to exceed six (6) feet in one hundred (100) feet; for constructing the necessary bridges,

viaducts and culverts and for metaling, macadamizing and finishing the same to the width of sixty (60) feet in the center of said road; except so much thereof as lies within the village of Glendale, which shall be metaled, macadamized and finished to the width of forty feet only according to the following general plan, viz: On its subgrade, the crown of which shall be ten inches in the center and thoroughly rolled, shall be placed a layer of flat stones to a depth of not less than four inches and the interstices filled with broken stone well rammed. On this shall be placed a layer of not less than five inches thick of crushed or broken limestone and thoroughly rolled. This shall be covered by two layers, each of two and one-half ( $2\frac{1}{2}$ ) inches, of crushed boulder or granite of the size to pass through a two and a half ( $2\frac{1}{2}$ ) inch ring; each layer to be separately rolled and on this shall be placed a top dressing of screenings of boulder or granite not less than one and a half ( $1\frac{1}{2}$ ) inches thick, which shall also be thoroughly rolled. Said plats and profiles shall also show the additional lands on both sides of said road necessary for easements of sloping fills and cuts; a copy thereof shall be furnished the county solicitor to file with the application for the appropriation of the lands described in section 1 of this act, and said appropriation proceedings shall be commenced by said commissioners as soon as said plats and profiles have been prepared and furnished by said county engineer.

SECTION 3. Said commissioners shall let the contracts after approval by the board of control of said county, for the improvement of said road in sections of one mile each in length, and shall cause the improvement of all of said mile sections to be made and carried on at the same time, and the engineer shall furnish separate plats, profiles and specifications of each section and file the same in the office of said commissioners for the inspection of bidders.

SECTION 4. Said appropriation proceedings shall be had in either the common pleas or probate court of said county, as the county commissioners may decide. The commissioners are hereby authorized to employ additional counsel to assist the county solicitor in the preparation and conduct of said proceedings, the compensation of said additional counsel to be agreed upon in advance by said counsel and commissioners, and approved by the board of control of said county. All claims for damages by reason of change of grade shall be made, heard and determined in said appropriation proceedings and said damages shall be paid for out of the Paddock road extension fund hereinafter provided for, in the same manner as for land actually appropriated; and if such changes of grade are in accordance with the plans, profiles and specifications filed by the engineer, said claims shall not be heard in any other proceedings, reserving however, to any of the parties to said proceeding the right of prosecuting error or appeal as provided by law in said appropriation proceedings; and for the purpose of enabling said claims to be heard, the county solicitor shall cause the owners of all lots and lands abutting on either side of said road in front of which any change is proposed to be made in the existing grade, to be made parties to said proceeding, unless said abutting owners, waive in writing, any claim for damages.

SECTION 5. To defray the expense of acquiring said lands, including the rights and franchises of the said Hamilton, Springfield and Carthage turnpike company, and the rights and franchises of the said Glendale and Port Union turnpike company in so much of the turnpikes owned and controlled by them respectively as are required for the purposes of

**this** act, the payment of damages arising from change of grade, the employment of additional counsel, the cost of improving said road (except the construction of the necessary bridges, viaducts and culverts, the cost of which shall be paid by the commissioners after approval by the board of control of said county out of the bridge fund); and the expenses of assessing the property within the bounds of said road as provided for hereafter; and all other expenses incurred for the purpose of carrying out the provisions of this act, the commissioners are authorized to issue and sell, from time to time, as necessary, and with the approval of the board of control of said county, the bonds of the county to any amount not exceeding four hundred thousand dollars (\$400,000.00) to be known as the Paddock road extension bonds, and the proceeds of the sale of said bonds be placed in a fund to be known as the Paddock road extension fund, which shall be applied to the purposes above named. Said bonds shall be in denominations of five hundred dollars (\$500.00) each and bear interest at a rate not to exceed four per cent. per annum, payable annually; one-thirtieth of the whole amount of said bonds shall fall due and be payable each consecutive year after the date of issue, for thirty years.

SECTION 6. One-half the cost of said improvement shall be paid by the said county of Hamilton, and the commissioners of said county are hereby authorized and directed to levy a tax in addition to the amount they are otherwise authorized by law to levy upon the general duplicate of said county, from year to year a sum sufficient to pay one-half of said bonds and interest thereon. The remaining one-half of the cost of said improvement shall be assessed upon the several lots and tracts of lands upon both sides and both ends of said road, to the distance of one mile therefrom, according and in proportion to benefits to said lands resulting from said improvement; and in order to ascertain the amount to be assessed against said several lots or tracts of land as aforesaid, the probate court of said county is hereby authorized and directed to appoint at any time, on the application of the commissioners of said county, three disinterested freeholders of said county as commissioners to make said assessments. Said commissioners so appointed, shall ascertain and determine what several lots and tracts of land are within the limits of the district defined herein, and when said tracts and lots of land are ascertained and defined as aforesaid, and the cost of said improvement is ascertained and determined, said commissioners shall proceed to assess on the said several lots and tracts of land as aforesaid, in proportion to benefits accruing from said improvements, a sum sufficient in the aggregate to pay one-half of the amount of the said bonds and interest. Said assessment shall be divided into thirty annual payments, shall be tabulated and arranged by said commissioners in proportion to the relative amount of bonds and interest to be paid each year during the life of said bonds; said assessments when so prepared and arranged by said commissioners shall be certified to the auditor of said county for collection, and the whole amount of said assessments shall be a lien on the several lots and parcels of land for the amounts severally assessed thereon from the date of said certification. It shall be the duty of said auditor to place each annual payment of said assessment upon the tax duplicate against each and every lot and tract of land, during each and every year, that the same may become due. Before any assessment so made by said commissioners shall be final and conclusive, said commissioners shall give thirty days' notice, in two newspapers

of general circulation in said district and county, of the several amounts proposed to be assessed by them upon each and every lot or tract of land, together with the names of the several owners as far as they may be ascertained, to be assessed. And the owner of any lot or tract of land in said district shall have the right to appear before said commissioners and be heard upon any objection he may have to the amount of any assessment proposed to be assessed upon his land or lands, at such time and places as may be fixed by said commissioners; provided, the time for hearing said objections shall not exceed three months from the date of the first publication of said notice. Such commissioners, upon the hearing of such objections as may be made as aforesaid, may equalize and readjust said assessments, or any parts thereof, in accordance with the equity and justness of the case, provided, that after the expiration of said three months, said commissioners shall proceed to finally and definitely fix the amounts of said assessments, and the respective amounts thereof when so fixed as aforesaid, shall, in the absence of fraud, be final and conclusive. Said commissioners shall each receive as compensation for the services to be performed by them hereunder, the sum of five dollars per day, during the time of said employment, provided, the time of said employment shall not exceed two hundred and seventy days. Said commissioners are hereby authorized to employ such clerks, surveyors, and such other assistants as may be necessary to carry out the provisions of this section, provided, however, that said employment and the compensation to be paid therefor, shall be first approved and fixed by the commissioners and board of control of said county. The compensation of said commissioners and employes, and the payment of such incidental expenses as may be rendered necessary in carrying out the provisions of this section, shall be paid from the fund provided by this act, upon the order of the county commissioners, approved by the board of control of said county.

SECTION 7. The commissioners of Hamilton county, and the board of legislation of any city, or the council of any village owning any part of the lands necessary to be acquired for the purpose of carrying out the provisions of this act, are hereby authorized to dedicate the same free of cost to the county, for the purpose of widening and extending said road; and where any improved street of any village shall connect with or intersect said road so extended and widened, the crossing shall be at the established grade of the street, unless the council of said village shall consent to a different grade. Provided, that whenever any street railway company shall apply to the commissioners of said county for permission to lay out and operate a street railway route, over said road, or public way, said commissioners shall require any street railway company to which a grant may be given to operate a street railway over said road, to pay for the use and repair of said roadway, a sum, not less than one-half of the interest on that part of the existing bonded indebtedness, which is to be borne by the county, as its share of the expense of the improvement and extension of Paddock road. Of the rental derived from said street railway company, or its successors, one-fourth of the amount shall be credited to the Paddock road extension fund, for repairs of said road; and the balance of the rental derived from said company, or its successors, shall be paid into the sinking fund of the county, for the redemption of the share of the bonded indebtedness to be borne by the county in the construction, extension and improvement of Paddock road.

**SECTION 8.** This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
 ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 25, 1893.  
 382L

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[Senate Bill No. 456.]

### AN ACT

To authorize the commissioners of Hamilton county to improve the Carthage pike from the old corporation line of the city of Cincinnati to the north corporation line of the village of Carthage.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Hamilton county be and they are hereby authorized to improve the Carthage pike from the old corporation line of the city of Cincinnati to the north corporation line of the village of Carthage, in the manner and form hereinafter provided in this act.

**SECTION 2.** Said commissioners are authorized to cause the county engineer to prepare the necessary plats, profiles and specifications for improving said Carthage pike from the old corporation line of the city of Cincinnati to the north corporation line of the village of Carthage, by grading the same and paving the driveway to its full present width with the best vitrified brick, including bridges, culverts and curbs, and also remove the toll-gates therefrom and make the same a free turnpike road.

**SECTION 3.** The said county commissioners shall have final and exclusive jurisdiction and power in all matters relating to the grading and improving of said Carthage pike, and shall forthwith proceed to make the necessary contracts after approval by the board of control of said county.

**SECTION 4.** To defray the expenses of said improvement, the payment of damages arising from change of grade, the removal of said toll-gates, and the expenses of assessing the property within the bounds of said road as provided hereinafter, and all other expenses incurred for the purpose of carrying out the provisions of this act, the commissioners are authorized to issue and sell, from time to time as necessary, and with the approval of the board of control of said county, the bonds of the county to any amount not exceeding three hundred and fifty thousand (\$350,000) dollars, to be known as the Carthage pike bonds, and the proceeds of the sale shall be placed in a fund to be known as the Carthage pike fund, which shall be applied to the purpose above named. Said bonds shall be in denominations of five hundred dollars (\$500.00) each, and bear interest at a rate not to exceed four per cent. per annum, payable annually. One-thirtieth of the whole amount of said bonds shall fall

due and be payable each consecutive year after the date of issue for thirty years.

SECTION 5. One-half the cost of said improvement shall be paid by the said county of Hamilton, and the commissioners of said county are hereby authorized to levy a tax in addition to the amount they are otherwise authorized by law to levy upon the general duplicate of said county, from year to year, a sum sufficient to pay one-half of said bonds and interest thereon. The remaining one-half of the cost of said improvement shall be assessed upon the several lots and tracts of lands upon both sides and both ends of said road, to the distance of one mile therefrom, according and in proportion to benefits to said lands resulting from said improvement; and in order to ascertain the amount to be assessed against said several lots or tracts of land as aforesaid, the probate court of said county is hereby authorized to appoint, at any time, on the application of the commissioners of said county, three disinterested freeholders of said county as commissioners to make said assessments. Said commissioners so appointed, shall ascertain and determine what several lots and tracts of land are within the limits of the district defined herein, and when said tracts and lots of land are ascertained and defined as aforesaid, and the cost of said improvement is ascertained and determined, said commissioners shall proceed to assess on the said several lots and tracts of land as aforesaid, in proportion to benefits accruing from said improvements, a sum sufficient in the aggregate to pay one-half of the amount of the said bonds and interest. That the grading and paving of so much of the roadway as may be occupied by any street railway company, shall be paid for in accordance with the terms and conditions in reference to repairs contained in the grant by the commissioners of Hamilton county to said street railway company to operate a street railway on said road. Of the money derived from the assessment upon said street railway company, twenty-five per cent. shall be credited to the Carthage pike fund for repairs, and the balance shall be paid into the sinking fund of the county for the redemption of that part of the bonded indebtedness of the county, which is to be borne by said county as its share of the expense of the improvement, and said assessment against said street railway company may be paid in the manner hereinafter provided. Said assessment shall be divided in thirty annual payments, shall be tabulated and arranged by said commissioners in proportion to the relative amount of bonds and interest to be paid each year during the life of said bonds; said assessments, when so prepared and arranged by said commissioners, shall be certified to the auditor of said county for collection, and the whole amount of said assessments shall be a lien on the several lots and parcels of land for the amounts severally assessed thereon from the date of said certification. It shall be the duty of said auditor to place each annual payment of said assessment upon the tax duplicate against each and every lot and tract of land, during each and every year, that the same may become due. Before any assessment so made by said commissioners shall be final and conclusive, said commissioners shall give thirty days' notice, in two newspapers of general circulation in said district and county, of the several amounts proposed to be assessed by them upon each and every lot or tract of land, together with the names of the several owners as far as they may be ascertained, to be assessed. And the owner of any lot or tract of land in said district shall have the right to appear

before said commissioners and be heard upon any objection he may have to the amount of any assessment proposed to be assessed upon his land or lands, at such time and places as may be fixed by said commissioners; provided, the time for hearing said objections shall not exceed three months from the date of first publication of said notice. Such commissioners, upon the hearing of such objections as may be made as aforesaid, may equalize and readjust said assessments, or any parts thereof, in accordance with the equity and justness of the case; provided, that after the expiration of said three months, said commissioners shall proceed to finally and definitely fix the amounts of said assessments, and the respective amounts thereof when so fixed as aforesaid, shall, in the absence of fraud, be final and conclusive. Said commissioners shall each receive as compensation for the services to be performed by them hereunder, the sum of five dollars per day, during the time of said employment, provided, the time of said employment shall not exceed one hundred and eighty days. Said commissioners are hereby authorized to employ such clerks, surveyors, and such other assistance as may be necessary to carry out the provision of this section; provided, however, that said employment and the compensation to be paid therefor, shall be first approved and fixed by the commissioners and board of control of said county. The compensation of said commissioners and employes and the payment of such incidental expenses as may be rendered necessary in carrying out the provisions of this section, shall be paid from the fund provided by this act, upon the order of the county commissioners, approved by the board of control of said county.

SECTION 6. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 25, 1893.  
383L

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[House Bill No. 594.]

## AN ACT

To authorize the commissioners of Hamilton county to construct a certain avenue in Delhi township, to issue bonds to pay for same, and to assess a tax to redeem said bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Hamilton county be and they are hereby authorized to construct the following avenue: Commencing at the present terminus of the road known as Hill Side avenue, now completed to Anderson ferry in the township of Delhi in said county; and thence running northwest three and six-sevenths miles into the village of Delhi, there intersecting with the old North Bend road, running to Addyston in said county.

SECTION 2. That in the location and construction of said avenue upon said route, the same shall be located and constructed so as to be above the highest water mark of the Ohio river; and the same shall be located at such a distance away from the railroads running along the Ohio river from Cincinnati, so as to make it practically safe for use in the driving of horses not accustomed to the noise and rapid motion of moving trains.

SECTION 3. That said avenue shall be opened sixty (60) feet in width and graded the full width of thirty (30) feet, and shall be macadamized with broken limestone and gravel to the full width of 16 feet, and 12 inches deep.

SECTION 4. The said county commissioners of Hamilton county shall pay for the construction of said avenue, including the assessed value of any property that may be condemned for the right of way of said avenue, in the bonds of the county, which bonds said commissioners shall issue, payable at such times as they may deem best, not exceeding twenty years from date; said bonds to bear interest not exceeding four per centum per annum, payable annually, and shall not be sold for less than their par value; provided, further, that not more than five per centum of the cost of said improvement shall be assessed in any one year.

SECTION 5. That for the purpose of paying the interest on said bonds and to provide a sinking fund for the final redemption of the same, the said county commissioners are hereby authorized and directed to levy upon the taxable property of said county a tax not exceeding one-fiftieth of one mill on the dollar in any one year.

SECTION 6. That said avenue shall be located and constructed under the supervision of a competent engineer, to be appointed by the said county commissioners, and who shall receive such pay for his services out of the funds herein above authorized to be levied, as said county commissioners may deem reasonable and just.

SECTION 7. That this act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 27, 1893.  
391L

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[House Bill No. 596.]

## AN ACT

To authorize the commissioners of Hamilton county to issue bonds and levy a tax to complete the improving of Delta avenue (formerly known as Crawfish creek road), and to repeal an act similarly entitled, passed April 16, 1890 (87 O. L., p. 548).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Hamilton county, in addition to their other powers of taxation, are hereby authorized to issue and sell



the bonds of the county as they may be needed, and to bear interest at a rate not to exceed five per cent. per annum, payable semi-annually, and not to be sold for less than par, and to become due in instalments not exceeding in all twenty years, and in all not to exceed \$35,000, and to annually for twenty years levy and collect in the grand levy of taxes on the taxable property of said county an amount sufficient to pay said bonds and interest as they mature; the fund so raised to be credited to the Delta avenue (formerly Crawfish creek road) fund.

SECTION 2. That said commissioners shall make said improvement substantially in accordance with the plans and surveys made by H. J. Stanley, city engineer, now on file in the engineer's department of the city of Cincinnati, and it shall be the duty of said board of county commissioners to superintend and complete said improvement, they being hereby empowered to contract for and begin the work at any time after the passage of this act; and the fund hereby provided to be raised shall be expended under their direction, including the compensation and damages for property which may be condemned under the proceedings authorized under the act of 1890.

SECTION 3. That the act entitled "An act to authorize and direct the commissioners of Hamilton county to levy a tax to complete the improving of Crawfish creek road," passed April 16, 1890 (87 O. L., p. 548), be and the same is hereby repealed.

SECTION 4. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,

*Speaker pro tem. of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 27, 1893.

392L

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[House Bill No. 1897.]

## AN ACT

To authorize the board of education of sub-school district number one, Millcreek township, Hamilton county, to issue bonds to build a new school-house.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of Millcreek township in Hamilton county, Ohio, be and they are hereby authorized and empowered to issue bonds for an amount not exceeding fifteen hundred dollars (\$1,500) payable at such time and place as the board may determine, provided that said bonds shall be made payable within five years after the date of the issue thereof.

SECTION 2. Said bonds shall be issued by said board and signed by the president and secretary thereof, who shall keep a record of the same, and shall bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, and shall be in amounts not less than fifty nor more than one hundred dollars each, as said board may determine; said

bonds shall not be sold for less than their par value, and the funds arising from the sale thereof shall be used only in building a new school-house of said district.

SECTION 3. The board of education of said district shall annually levy such amount of taxes, to be collected as other taxes are, as is necessary to pay said new school-house and interest thereon as the same may become due and payable.

SECTION 4. Said board of education may, if in their opinion it become necessary, each year for the next five years after the passage of this act levy annually on each dollar of valuation of all the taxable property in said school district, any sum not exceeding three (3) mills per annum in addition to that now allowed by law, the proceeds of additional levy to be exclusively used for the payment of said bonds and the interest thereon, authorized to be issued by said board in section one (1) of this act.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 27, 1893.

399L

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[Senate Bill No. 482.]

## AN ACT

For the relief of Thomas Gibson.

WHEREAS, The late firm of J. B. & T. Gibson, sub-contractors for furnishing the gas-fitting, plumbing and piping and material for the county infirmary built by the county of Hamilton, being unwilling, owing to the insolvency of the contractor, to furnish said materials and perform said work because the preparation and making of the same involved the loss of both labor and material unless used for said infirmary, said firm was, nevertheless, induced to do so by assurance of the superintendent and architect of said infirmary, duly appointed and acting under section twelve of the act relative to infirmary buildings (66 O. L., p. 56), during the furnishing of said materials and the preparation of said work, that there was money in the treasury of Hamilton county, Ohio, yet undrawn by the contractor, applicable to said purpose; and

WHEREAS, The said J. B. & T. Gibson, relying upon said assurance made by said architect and superintendent in charge of the construction of said building, that the money then in the county treasury would be withheld from said chief contractor until the time of the delivery of said work and materials, proceeded with said work and prepared and delivered the gas-fitting, plumbing and piping at the infirmary, and after the same was fully completed to the satisfaction of the architect and superintendent in charge of the construction of said building as aforesaid, then for

the first time learned that the county commissioners, through mistake, had paid the contractor in full for said work and material, and suffered him to overdraw his account, thus depriving said J. B. & T. Gibson from receiving the consideration for their work and of all remedy against the county for the funds which should have been withheld for the payment of their said claim; and

WHEREAS, It was afterwards judicially determined in a suit instituted by said J. B. & T. Gibson against the county commissioners, that said county was not legally liable for the representations made by their architect and superintendent in charge of the construction of said building, and that no recovery could be had therefor, and the said county of Hamilton having received the benefit of said labor and materials and is now in the enjoyment of the same: and

WHEREAS, Said Thomas Gibson is now the sole representative of said firm of J. B. & T. Gibson, and is the one who sustained the loss in question, and, that all other sub-contractors on said infirmary have been paid, by authority conferred by the General Assembly, for work done under the same circumstances; now, therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the said claim of said Thomas Gibson, on being established to the satisfaction of the commissioners of Hamilton county, Ohio, who shall determine the amount due thereon, shall be by them adjusted and settled upon just and equitable principles; that said commissioners, if satisfied that said county has had the use and benefit of said work and materials in said building, and that said Gibson has not been paid therefor, are hereby authorized to pay or cause him to be paid the amount of his said claim out of any funds in the treasury of said county not otherwise appropriated, and the treasurer of said county is hereby authorized and directed to pay the same accordingly.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 27, 1893.

400L

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[House Bill No. 1199.]

## AN ACT

To authorize and direct the commissioners of Hamilton county to construct and improve Eden avenue, from Molitor street in the city of Cincinnati to Southern avenue in the village of Avondale, Hamilton county, Ohio, to issue bonds for same, and to assess a tax to redeem said bonds and to assess a part of the cost of such construction and improvement on the abutting property.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Hamilton county, in addition to their other powers of taxation, be and they are hereby authorized to open and improve Eden avenue in Hamilton county, Ohio, beginning at the north line of Molitor street in the city of Cincinnati, thence northwardly to the

south line of Southern avenue in the village of Avondale, to the full width of seventy (70) feet, to the grades established by the city of Cincinnati and the village of Avondale, by grading, macadamizing, curbing, flagging, guttering and constructing the necessary drains, bridges and culverts.

SECTION 2. That said commissioners shall assess such portion of the cost of construction, opening and improving said avenue as they shall deem reasonable upon the property abutting thereon, except streets or avenues intersected or crossed thereby, not exceeding four (\$4.00) dollars per front foot on each side of said avenue so improved, and shall certify same to the county auditor of said Hamilton county to be by him entered on the tax duplicate of the county for collection by the county treasurer in the manner provided for the collection of taxes; provided, however, that said assessment be made payable by said county commissioners in not less than ten annual payments, with interest on the deferred payments at a rate not to exceed five (5) per centum per annum; the said assessment to be made in advance, or upon completion of said improvement as may be determined by the said commissioners; and when collected to be credited to a fund to be known as the "Eden avenue fund."

SECTION 3. That said commissioners, for the purpose of raising money to defray the cost of such construction, opening and improving of said avenue, are hereby authorized to issue bonds of said county, which bonds said commissioners shall issue, payable at such times as they deem best, not exceeding twenty years from date. Said bonds to bear interest not to exceed five (5) per centum per annum, interest payable semi-annually. Said bonds not to exceed in the aggregate the sum of sixty thousand (\$60,000.00) dollars, and shall not be sold for less than par value.

SECTION 4. That for the purpose of paying the interest on said bonds and to provide a sinking fund for the final redemption of the same, the said commissioners may levy annually, for not exceeding twenty (20) years, upon the taxable property of said county, such amount of taxes as, in addition to the fund derived as in section 2 of this act set forth, will pay the interest on such indebtedness and create a sinking fund necessary to refund the same at maturity, not exceeding one-fortieth mill on the dollar in one year; and all the taxes levied and assessed under the provisions of this act shall be applied to the specific object for which they are levied and no other.

SECTION 5. That the commissioners of Hamilton county shall proceed, forthwith, to make the necessary contract for and to construct said improvement.

SECTION 6. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 27, 1893.  
403L

[House Bill No. 1456.]

## AN ACT

To authorize the trustees of Columbia township, Hamilton county, Ohio, to widen and extend Williams avenue.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Columbia township be and they are hereby authorized and required to widen and extend Williams avenue from its intersection with the Duck creek road eastwardly along the north lines of sections thirty-three and twenty-seven in said township to a point where the same intersects the Madison road; said avenue to be widened to a width of sixty feet, of which said section lines are to be the center line, and shall appropriate and enter upon and hold any real estate within the township necessary for such purpose.

SECTION 2. The trustees of said Columbia township shall immediately make application to the probate court of the county as provided in section 2236 of the Revised Statutes of Ohio, and thereafter, as far as practicable, the proceedings shall conform to and be had under the provisions of sections 2236 to 2261, inclusive, of the Revised Statutes of Ohio.

SECTION 3. The trustees shall receive reasonable compensation for their services which shall not exceed the sum of twenty-five dollars each, which, with all costs and expense of constructing said improvement, together with the interest on any bonds issued by the trustees for the same, shall be levied and assessed upon each front foot of the lots and lands abutting on each side of said Williams avenue between the termini mentioned in section one (1) hereof, and shall be a lien from the date of the assessment upon the respective lots or parcels of lands assessed; said assessment shall be payable in five (5) annual payments, and shall be paid to the township treasurer; and the option of paying his portion of such assessment in full within a period of twenty (20) days from the date of the levy thereof, shall be given to each of the property owners, but no notice to the property owners of such option shall be necessary. The township treasurer shall, on or before the second Monday of September, annually, certify all unpaid assessments to the county auditor, and the same shall be placed on the tax list, and shall be, with ten (10) per cent. penalty to cover interest and cost of collection, collected by the county treasurer in the same manner as other taxes are collected, and when collected he shall pay the same to the township treasurer; and all moneys received by the township treasurer on such assessments shall be applied to the payment of the bonds issued under this act, and for no other purpose; and for the purpose of enforcing the collection of the assessments so certified to him, the county treasurer shall have the same power and authority now allowed by law for the collection of state and county taxes.

SECTION 4. For the purpose of raising money necessary to meet the expense of the improvement, the trustees of said township are hereby authorized and directed to issue the bonds of the township, payable in instalments or at intervals not exceeding in all the period of six (6) years, bearing interest at the rate of six (6) per cent. per annum, which bonds shall not be sold for less than their par value.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*

ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 27, 1893.  
404L

[House Bill No. 1358.]

### AN ACT

To authorize the county commissioners of Hamilton county to make an additional levy for bridge purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners in any county containing a city of the first grade of the first class are hereby authorized in addition to the levy for bridge purposes authorized by section 2824 of the Revised Statutes, as amended April 14, 1892, to levy on each dollar of valuation of taxable property within said county, for bridge purposes exclusively, in the first levy made after the passage of this act, one-tenth of a mill and one-tenth of a mill in the second levy made after the passage of this act, which shall be collected in money, and upon the request of the board of administration of any such city of the first grade of the first class, within said county, paid into the city treasury of said city, and the said money shall be expended by the board of administration of such city, for the purpose of building new bridges or replacing old bridges within the corporate limits of such city, and the said amount so turned over as herein provided shall be in addition to the money paid into the city treasury of said cities under and by virtue of said section 2824 of the Revised Statutes, as amended April 14, 1892; and provided further, that the said board of administration may make plans and estimates and enter into contracts for the construction of any such new bridges in anticipation of the collection of said tax, and before the same is in the treasury and without the certificate of the auditor that the money is in the treasury to meet such contract; the intention hereof being that sections 2699 and 2702 of the Revised Statutes shall not apply to any contracts made for the construction of bridges under this act.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*

ELBERT L. LAMPSON,  
*President pro tem. of the Senate*

Passed April 27, 1893.  
408L

[House Bill No. 1237.]

## AN ACT

To amend section 29 of an act entitled "An act to provide a license on trades, business and professions carried on in cities of the first grade of the first class, and providing for the enforcement and collection of fines and penalties for carrying on business without license, and for other purposes," passed April 16th, 1883 (O. L. vol. 80, p. 129).

[CINCINNATI.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 29 of an act entitled "An act to provide a license on trades, business and professions carried on in cities of the first grade of the first class, and providing for the enforcement and collection of fines and penalties for carrying on business without license, and for other purposes," passed April 16th, 1883 (O. L. vol. 80, p. 129), be amended so as to read as follows:

Sec. 29. The owners of all vehicles, used upon the streets of the city, shall pay annual license fees as follows: For each sulky, (5) five dollars; for each cab or hack, five (5) dollars; for each buggy or private carriage, five (5) dollars; for each hotel coach or carriage, ten (10) dollars; for each furniture car, ten (10) dollars; for each two-horse omnibus, ten (10) dollars; for each four-horse omnibus, fifteen (15) dollars; for each six-horse omnibus, twenty-five (25) dollars; for each cart, drawn by one horse, three (3) dollars; drawn by two horses, ten (10) dollars; for each wagon (with springs), drawn by one horse, three (3) dollars; drawn by two horses, ten (10) dollars; drawn by three horses, fifteen (15) dollars; drawn by four horses, twenty (20) dollars; drawn by six horses, twenty-five dollars; for each wagon, dray, truck or drag (without springs), drawn by one horse, five (5) dollars; drawn by two horses, fifteen (15) dollars; drawn by three horses, twenty (20) dollars; drawn by four horses, twenty-five (25) dollars; drawn by six or more horses, thirty (30) dollars. Provided, that none of the provisions of this act shall be held to apply to farmers marketing the products of their farms; nor shall farmers be liable for vehicles or any license whatever for marketing, selling, hawking or peddling the products of their farms, or for hauling any produce into or from said city to the country, in cities of the first grade of the first class; nor shall the provisions of this act be held to apply to gardeners, fruit growers or florists; nor to any person living without said city and engaged in huckstering and marketing country produce into or from said city; nor to persons engaged in farming, gardening or huckstering, hauling goods or merchandise to or from said city; dairymen living without said city, shall pay license fees upon their vehicles used upon the streets of said city as follows: For each one-horse wagon, three (3) dollars; for each two-horse wagon, five (5) dollars; for each three or four-horse wagon, ten (10) dollars.

SECTION 2. Said original section 29 of said act is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*

ANDREW L. HARRIS,  
*President of the Senate.*

Passed February 21, 1893.

[House Bill No. 743.]

## AN ACT

To amend section 1 and to supplement section 31 of an act passed February 28, 1888, entitled "An act to regulate the construction of buildings within any city of the first class and first grade, and to provide for the appointment of an inspector of buildings."

[CINCINNATI.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section one of an act passed February 28, 1888, entitled "An act to regulate the construction of buildings within any city of the first class and first grade, and to provide for the appointment of an inspector of buildings," be amended so as to read as hereinafter set forth, and that section 31 of said act be supplemented as hereinafter set forth.

Sec. 1. That the mayor of the city shall appoint in every city of the first class of the first grade one person who shall be an architect or builder, as "inspector of buildings" in said city of the first class, who shall hold such office for the term of two years from and after the date of his appointment, subject to the provisions and stipulations of this act hereinafter provided, and until his successor is duly appointed and qualified, but may be removed by said mayor for malfeasance, misfeasance or nonfeasance in office; the said inspector shall receive an annual salary of \$3,000, which shall be in full for all services to be performed by him, and all fees received by him shall be paid to the city treasurer on or before the tenth day of each month for the month preceding; and the said inspector shall devote his entire time to the inspection of buildings, and shall not be interested in any other branch of the building business. Said inspector shall have an "assistant inspector of buildings," at a salary not to exceed \$1,500 per annum, and an assistant who shall act as an "inspector of plumbing" at a salary not to exceed \$1,200 per annum, two deputy inspectors, who shall act as assistants to the inspector of buildings at a salary not to exceed one thousand dollars per annum each, and one assistant inspector, who shall act as inspector of elevators, at a salary not to exceed \$1,500 per annum, one deputy inspector who shall act as assistant to the inspector of plumbing at a salary not to exceed \$1,000 per annum, one assistant who shall act as bookkeeper and examiner of plans at a salary not to exceed \$1,000 per annum; said salaries shall be payable as the salaries of other officers, and all such assistants appointed by the inspector of buildings shall be competent and experienced mechanics, and of such trade or profession as shall, in the opinion of the inspector of buildings, be of greatest service to the department.

Sec. 31a. The inspector of buildings shall make regulations for the inspection of electric, steam and hydraulic passenger and freight elevators, with a view to the safety of passengers and of those operating or using passenger or freight elevators, and shall also prescribe suitable qualifications for persons who are placed in charge of running such passenger or freight elevators. The regulations so made shall require any repairs found necessary upon inspection to be made without delay; and in case defects are found to exist which would endanger life by continual use of such elevator, then in either of said cases, upon notice of the inspector of buildings, the use of such elevator shall cease and it shall not again



be used until a certificate shall be first obtained from said inspector of buildings that such elevator has been put in safe order and [is] fit for use.

Sec. 31b. Every entrance to a passenger elevator shall be provided with a sliding door with automatic or self-latching lock, said lock to be accessible only to the person in charge of and operating said elevator, and in no case shall said person in charge of and running or operating said elevator allow, permit or cause the cab or car of such elevator to be raised or lowered until the door guarding such cab or car entrance has been completely closed and securely latched.

Sec. 31c. No passenger, employe or person other than the operator or person duly qualified and in charge of the operation of said elevator, cab or car shall be permitted to handle, operate or manipulate any rope, shifting-rod, lever or other thing attached to or used to start or stop any elevator, cab or car, unless called upon by the person in charge of and operating said elevator, who finds it impossible to control and manage said elevator, cab or car by reason of the machinery used in operating said elevator refusing to act.

Sec. 31d. All elevator cabs or cars, whether used for freight or passengers, shall be provided with some suitable mechanical device to be approved by the inspector of buildings, whereby the cabs or cars will be securely held in the event of accidents to the ropes or hoisting apparatus, or from any similar cause.

Sec. 31e. It shall be the duty of the assistant inspector of buildings who is known as the "inspector of elevators," to inspect all electric, steam and hydraulic elevators in cities provided for in this act at least every six months, and he shall charge and receive for the same the sum of two dollars in each case, which amount shall be paid to the inspector of buildings by the person, firm or corporation owning and operating said elevators before granting to them the certificates or permits which shall certify that inspection has been made and the condition of elevator approved.

Sec. 31f. If, upon said examination, any such elevator and the machinery and apparatus connected therewith is, by said inspector, found to be defective and unfit for use and operation of the same, he shall refuse to grant his certificate for the use and operation of the same until it shall be put in proper order and condition to his satisfaction; and any person guilty of operating any elevator so condemned without the certificate, permit or consent of said inspector, shall be deemed guilty of a misdemeanor and fined in any sum not to exceed \$250, or imprisonment for a period not to exceed six months, or both, at the discretion of the court.

Sec. 31g. For the purpose of facilitating the discharge of the duty hereby made incumbent on said inspector of buildings and his assistants, it shall be the duty of the chief of police of said city to require the patrolmen on their several beats to make an enumeration of all electric, steam and hydraulic elevators in said city within thirty days after the passage of this act, and report the same to said chief of police, who shall in turn report the same to said inspector of buildings; and any owner or operator who wilfully conceals it from such patrolman or refuses to give information as to the location of the same shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not to exceed twenty-five dollars (\$25).

Sec. 31h. No person under twenty-one years of age shall be employed in running or operating any electric, steam or hydraulic passenger or freight elevators, and it shall be unlawful for any firm, company or person

in the state of Ohio, owning, operating or having in charge any such passenger or freight elevator or elevators to employ a person under twenty-one years of age to run or operate any such elevator.

Sec. 31i. Any person, firm or corporation, or any agent, trustee, director, officer or employe of any person, firm or corporation, who shall employ any person contrary to the provisions of the foregoing section, or who shall violate any of its provisions, shall, upon conviction thereof, be fined in any sum not less than twenty-five nor more than one hundred dollars, or imprisonment not less than thirty nor more than sixty days.

SECTION 2. Said section one of said act, as passed February 28, 1888, be and the same is hereby repealed, and this act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed February 23, 1893.

71G

[Senate Bill No. 371.]

## AN ACT

To authorize certain villages to borrow a sum not exceeding \$15,000.00 and issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any village which contained at the last federal census, or which shall hereafter contain a population of not less than one thousand nine hundred and sixty and not more than two thousand, in counties containing cities of the first grade of the first class, be and said council is hereby authorized to borrow a sum of money not exceeding fifteen thousand dollars (\$15,000.00), at a rate of interest not to exceed six (6) per centum, payable semi-annually, for general purposes, and to pay existing indebtedness for sewers against said village and the property therein.

SECTION 2. For the purpose of paying said loan, such village is hereby empowered to issue its bonds for the aggregate amount borrowed in such denominations and payable at such time, within fifteen years from the date of issue, as the council may determine.

SECTION 3. Said council shall, annually thereafter, cause the necessary taxes to be levied, in addition to those now authorized by law, to pay the principal and interest on said bonds, as same shall become due, in the manner already provided for levying and collecting taxes for municipal purposes.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed March 2, 1893.

86G

[House Bill No. 1238.]

## AN ACT

To amend section 2 of an act entitled "An act supplementary to and amendatory of title 12 of the Revised Statutes of Ohio," passed March 26, 1891.

[CINCINNATI.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That section 2 of an act entitled "An act supplementary to and amendatory of title 12 of the Revised Statutes of Ohio," passed March 26, 1891, be amended so as to read as follows:

Sec. 2. In cities of the first grade of the first class there shall be a board of supervisors consisting of six members, electors of such city, to be appointed by the mayor of such cities. The mayor of any such city shall appoint as members of said board six citizens, electors of said city, well known for their intelligence and integrity, not more than three of whom shall be of the same political party; two of whom, of different political parties, shall be designated in their appointment to serve for one year; two others, also of different political parties, shall be designated in their appointment to serve for two years; and the remaining two, also of different political parties, shall be designated in their appointment to serve for three years; and thereafter at the expiration of such terms, the mayor of such city shall appoint two members of said board, of different political parties, to serve for three years. For neglect of duty or misconduct in office, the mayor of such city may remove any member of said board; and all vacancies therein by death, resignation, removal, or otherwise, shall be filled by the mayor of such city for the unexpired term; and all vacancies shall be so filled that no more than three of the members of the said board shall be of the same political party. The members of said board, before entering upon their said duties, shall take and subscribe to an oath, to be filed and kept by the mayor of such city making the appointments, to support the constitution of the United States and of the state of Ohio, to obey the laws, and in all their official actions and judgments to aim only to secure and maintain an honest and efficient management of their department, free from partisan dictation and control. The members of said board shall each receive an annual compensation of twenty-five hundred dollars, and give bond conditioned for the faithful performance of his duties in the sum of ten thousand dollars, with sureties to the satisfaction of said mayor. Said board shall have power to employ a secretary, and to appoint such other officers and employes as it may deem necessary for the efficient execution of its duties, and to fix their salaries and their terms of office. Said board of supervisors shall have all the powers and perform all the duties heretofore conferred upon or required of the board of tax commissioners, and the board of revision, and the annual board of equalization, and the decennial board of equalization, and the board of review, in cities of the first grade of the first class, by any law now in force; and said board of supervisors shall in all respects be considered the successor of the said board of tax commissioners, and said board of revision, and said annual board of equalization, and said decennial board of equalization, and said board of review, in such cities, which boards are, upon the appointment and qualification of said board of supervisors, hereby abolished. Said board shall fix the compensation of all assessors and assistants and other officers and agents and

employees appointed by said board, and shall frame appropriate rules governing them in the discharge of their respective duties.

SECTION 2. That the original section 2 of said act be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 10, 1893.  
115G

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[House Bill No. 1240.]

### AN ACT

To provide for the issue of bonds to repair, improve and build additions to the workhouse in cities of the first grade of the first class.

[CINCINNATI.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in cities of the first grade of the first class the board of police commissioners of such cities shall have power to expend upon repairing, improving and building additions to the workhouse in such cities a sum not to exceed one hundred thousand dollars.

SECTION 2. It shall be the duty of the mayor and auditor of such cities, from time to time, and as often as said police commissioners shall certify the same to be necessary, to issue and sell the bonds of such cities in an amount necessary to make the repairs, improvements and additions provided for herein, not exceeding in the aggregate the sum of one hundred thousand dollars. Said bonds shall be signed by said city officers, and shall be made payable in thirty years from date of issue, and shall bear interest at a rate not to exceed four per cent. per annum, payable semi-annually, and when sold the proceeds thereof shall be placed in the city treasury, subject to the order of said board of police commissioners for the purposes aforesaid.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 22, 1893.  
158G

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[House Bill No. 1617.]

### AN ACT

To authorize the board of administration in cities of the first grade of the first class to improve alleys twenty (20) feet or less in width.

[CINCINNATI.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in cities of the first grade of the first class, the board of

administration of any such city shall have authority to cause any alley of said city that is twenty (20) feet or less in width to be improved with such material as said board shall deem best, and the method of procedure in such case shall be as follows:

1. A careful estimate shall be made of the cost of said work including the material to be furnished therefor.

2. Said board of administration shall declare by resolution the necessity of such improvement, and they shall have the power in such resolution to fix the width of roadway and the width of sidewalks, and said resolution shall be published in one newspaper published and of general circulation in said city once a week for a period of three weeks. Said board of administration shall have full and final authority in any such improvement to make such change or changes in the grade of any such alley to be so improved, as it may deem necessary to best conform to the same to such contemplated improvement, and such change of grade, if any, shall be published with the advertisement, of said resolution as above provided for; provided, however, that said board of administration, before declaring the necessity of any such improvement, shall have full authority to have all necessary sewer, water and gas connection laid from the main line or pipe in said alley to the curb stone or to the house line, and may include in said improvement such reconstruction of the curb as it may deem necessary, or may provide for the improvement of such alleys without any curb.

3. The owner of a lot or land bounding or abutting upon any such improvement claiming that he will sustain damages by reason of the improvement, shall within one week after the completion of the publication of the resolution as above provided, file a claim in writing with the clerk of the corporation, setting forth the amount of the damages claimed, together with a general description of the property with respect to which his claim or injury will accrue, or be barred from filing a claim or from receiving any damages as is provided in section 2315 of the Revised Statutes for failure to file claims for damages thereunder, and all other questions pertaining to such claim for damages, and assessments of, or compensation for the same, shall be governed by the provisions of law now applicable to like claims, except that in all cases concerning the class of improvement herein provided for, the board of administration shall take the place and authority therein of council or the board of legislation.

4. At the expiration of the time limited for filing claims for damages, as herein provided, the board of administration shall determine whether it will proceed with the proposed improvement or not; and if it decides to proceed therewith an ordinance for the purpose shall be passed by said board of administration.

5. In making such improvements the board of administration shall be governed by the provisions of section 2303 of the Revised Statutes, except that it shall not be required to advertise for bids for a longer period than two weeks in any case of improvements hereunder, or in more than one newspaper published in the corporation, and except, further, that the said board of administration shall have and exercise all the powers and perform all the duties of council or the board of legislation, in the prosecution of said work, or furnishing materials therefor, the making and levying assessments therefor, the enforcement and collection thereof, the certificates of any unpaid assessment to the county auditor

to be placed upon the tax list, the issuing of any bonds therefor, and sale thereof, and payment to the contractor; said board of administration shall also have and exercise all the powers now vested in, and shall be subject to all the restrictions and regulations now imposed upon said board of administration in cases where any improvement has been ordered by council, or the board of legislation, except as herein altered or amended; it being the intention and meaning hereof that in all such improvements it shall not be necessary to have the action or concurrence of council or the board of legislation in any of said proceedings.

6. All materials necessary to be removed from any such alley where said improvement is to be made, shall go to and become the property of the contractor as part compensation for said improvement; and the advertisement for bids shall state that said materials are to go to the contractor, so that all bidders may know that fact and make their bids with reference thereto.

7. The entire cost of such improvement, except the cost of intersections and two per cent. of the entire cost, which shall be paid by the city shall be assessed upon the parcels of lots and lands bounding or abutting upon the improvement in the manner provided by law.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,

*Speaker pro tem. of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed March 30, 1893.

201G

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[House Bill No. 1618.]

## AN ACT

To authorize and empower villages located in any county in the state of Ohio containing a city of the first grade of the first class to acquire the legal title to and possession of a town hall site and town hall erected thereon, and to issue bonds and to levy a tax to pay the cost and expense of improving the same.

[WINTON PLACE.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That where a town hall site has been heretofore purchased and a town hall erected thereon by the township trustees of a township in any county of the state of Ohio containing a city of the first grade of the first class, and the legal title to any such town hall site was taken in the names of the township trustees of such township and so stands upon the records of the county, and a tax was levied by them upon the taxable property of an election precinct of such township to pay for such town hall site and town hall, under any law of this state, and thereafter a village was duly organized and located within such election precinct of such township and thereby such town hall site and town hall became wholly within the corporate limits of such village, any such village is hereby authorized and empowered to acquire the legal title to such town hall site and town hall, in the manner and for the purposes as hereinafter provided.

**SECTION 2.** That for the purpose of acquiring the legal title to and possession of any such town hall site and town hall, by any such village, the council shall first declare by resolution that it is necessary to acquire such title and possession for the purpose of erecting a new town hall upon such old site and adjoining land, if necessary, and completing and furnishing the same; or to improve, enlarge, make additions to, and furnish the town hall already erected on such old site. The clerk of the village shall cause a certified copy of such resolution to be filed with the township clerk of the township wherein such village is located, and the township clerk shall forthwith notify the said township trustees of the service of such resolution upon him; and within ten days thereafter the said township trustees shall and they are hereby authorized and required to execute and deliver to the mayor of such village a quit claim deed, granting and conveying to such village, by virtue of the powers in them vested, and in conformity with this act and the said resolution of any such village council, all the right, title, and interest of such township, and the township trustees and their successors, of, in and to such town hall site as described in the original deed of conveyance together with all the privileges and appurtenances thereto belonging to be used for town hall purposes. And thereafter the title to and ownership of such town hall site and town hall shall be vested in such village absolutely, and the town hall trustees appointed by the county commissioners to have the charge and control of such town hall shall deliver immediate possession thereof, together with all money, books, papers and other property to the council of such village and thereupon their offices as such town hall trustees shall cease and determine. Provided, however, that citizens of such election precinct not residing within such village shall have the right to use and occupy from time to time such town hall for any lawful purpose upon the same terms and conditions granted by the council to citizens of the village.

**SECTION 3.** That any village so acquiring the legal title to and possession of a town hall, as provided in this act may, and it hereby is, authorized and empowered to erect a new building upon such old site, together with adjoining land which it may acquire, either by purchase or condemnation if necessary for that purpose, and complete and furnish the same; or it may improve, enlarge, make additions to, and furnish the town hall already erected on such old site, and acquire such adjoining land as may be necessary, in the manner as herein provided. Any such building to be used for the public offices of the corporations, and such public and other purposes as the council may authorize. Before any improvement shall be made, the council shall, by resolution, declare the necessity therefor and designate therein whether a new town hall shall be erected or the old one altered and improved, together with the maximum cost of the improvement.

**SECTION 4.** To provide a fund to defray the cost and expense of making any improvement so ordered by council, the council may issue and sell the bonds of the village not exceeding the maximum cost named in the resolution, to improve in the manner provided by law for the issue and sale of bonds by municipal corporations. They shall bear interest at the rate of six per cent. per annum, payable semi-annually, and shall not be sold below their par value, and be payable in two, three, four, five, six, seven, eight, nine, ten and eleven years respectively, from the date of issue. To meet the interest on such bonds, and pay the principal when due, the council shall levy a tax annually upon all the taxable property of the

village, sufficient to pay the interest as it accrues, and create a sinking fund to redeem the bonds as they fall due, and cause such levy to be certified to the county auditor of the proper county to be placed upon the tax duplicate, and collected as other taxes.\* Provided, however, that no bonds shall be issued or sold, or any tax levied until after the question of making the proposed improvement and issuing bonds shall have been first submitted to a vote of the qualified electors of the village at a special election to be ordered by a resolution of the council, designating the time and place of holding the same, and setting forth the purpose for which such election is to be held, the nature and maximum cost of the proposed improvement, and the amount for which bonds will be issued. The clerk of the village shall cause the said resolution to be published once a week, for two consecutive weeks in each of two daily newspapers of general circulation in such village, and post written or printed copies in five public places in the village. Such special election shall be held within ten days after the date of last publication of said resolution, between the hours of six o'clock a. m., and four o'clock p. m.

SECTION 5. The ballots shall have written or printed thereon: "For issuing bonds to build new town hall, maximum cost \$——, — Yes." "For issuing bonds to build new town hall, maximum cost \$——, — No." or: "For issuing bonds to improve old town hall, maximum cost \$——, — Yes." "For issuing bonds to improve old town hall maximum cost \$——, — No," as the case may be. The three members of council oldest in office shall be judges in such special election, and the clerk of the village shall be clerk, together with an elector of the village to be appointed by the mayor, any law to the contrary notwithstanding. The judges shall return the poll-books and tally-sheets properly certified, together with the ballots to the council at its next regular meeting after such election, and council shall verify the poll-books and tally-sheets, and declare the result. If a majority of the legal ballots cast at such special election is in favor of issuing the bonds and making the proposed improvement, council shall then proceed to make the improvement and issue and sell the bonds, in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,

*Speaker pro tem. of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate*

Passed March 30, 1893.

202G

[House Bill No. 1494.]

## AN ACT

To fix the time for holding elections for members of boards of education of special school districts situated partly within the limits of villages in counties containing a city of the first grade of the first class.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio;* That all elections for members of boards of education of special



school districts situated partly within the limits of villages in counties containing a city of the first grade of the first class, shall be held on the first Monday of April, annually, between the hours of 6 o'clock a. m. and 4 o'clock p. m., at the usual voting place in the precinct in which such special school district is situated.

SECTION. 2. That so much of section 8924 of the Revised Statutes as conflicts with this act, as applied to special school districts situated partly within the limits of villages in counties containing a city of the first grade of the first class be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed March 31, 1893.

209G

[House Bill No 133.]

## AN ACT

To authorize cities of the first grade of the first class to annex contiguous municipal corporations of other grades or classes lying within any county containing such cities of the first grade of the first class.

[CINCINNATI.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That any city of the first grade of the first class shall have the power to annex to its present corporate limits any contiguous municipal corporation or corporations of other grades or classes situate in the county containing such city of the first grade of the first class, upon compliance with the terms and conditions hereinafter recited.

SECTION 2. That any such city of the first grade of the first class desiring to annex any contiguous municipal corporation or corporations of other grades or classes, lying within the county containing such city shall, by its board of legislation, pass an ordinance declaring such intention and describing the municipal corporation or corporations which it desires to annex; and it shall be the duty of the mayor of such city of the first grade of the first class seeking such annexation, to cause such ordinance to be published once a week for four consecutive weeks in two newspapers published and of general circulation in the county; and if there be any objections to or remonstrances against the proposed annexation the same shall be filed with the clerk of the board of legislation of such city, and the clerk shall present the same at the next regular meeting of such board of legislation; and such board shall hear all objections and remonstrances and finally determine the same by ordinance.

SECTION 3. That if said board of legislation after such hearing determines in favor of such annexation, then the mayor of such city of the first grade of the first class, and also the mayors of the different municipal corporations sought to be annexed, shall each cause their separate

proclamations to be issued, as in the case of municipal elections, notifying the qualified voters of their respective municipalities of the time and place of the holding of an election to determine whether such municipalities shall be so annexed. The time for such election shall be fixed by the ordinance of the board of legislation determining in favor of such annexation, and shall be not less than thirty days after the passage of such ordinance. Before such annexation shall be deemed to have carried, it shall have received a majority of all votes cast upon such proposition. Such election shall be conducted in the same manner as is now by law provided for the conduct of municipal elections in such cities and municipal corporations, respectively, except that no additional registration shall be required. The form of the ballots to be used at such election shall be determined by the board of elections of such county.

SECTION 4. That it shall be the duty of the judges of election to return the result to the board of elections for such county, and it shall be the duty of such board to ascertain the result of such election and certify the same to the secretary of state and to the board of legislation of the city seeking the annexation.

SECTION 5. That if such election shall have resulted in favor of such annexation, it shall be the duty of the mayor of such city to whose limits are to be so attached such municipality or municipalities, to immediately notify the court of common pleas of the county containing such city of the result of such election, and thereupon such court shall appoint three commissioners, who shall be residents of such county. And such commissioners shall be sworn by the judge of such court to faithfully, honestly and impartially discharge their duties, and such commissioners' compensation shall be fixed by such court, and the same shall be paid out of the general fund of the treasury of the city making such annexation, upon vouchers to be issued by the mayor of such city.

SECTION 6. That it shall be the duty of such commissioners to make a full and detailed account of the indebtedness due by each municipality so annexed and of the several school districts affected by such annexation; that they shall also report what number of bonds or other evidences of debt have been issued by each corporation, and of the several school districts. That such commissioners, in connection with the sinking fund trustees of such city of the first grade of the first class, shall arrange the terms and conditions for the final annexation of such municipalities, and report the same to said court. That whenever their report shall have been so made and approved by the court such annexation shall be deemed complete.

SECTION 7. That if any municipality so annexed shall complain, in writing, that the terms and conditions for such annexation are unjust and unfair in whole or in part towards its interests, such corporation or corporations shall have the same heard by the court appointing such commissioners. That such court shall have the power to modify such report, if in its judgment the conditions and terms are unfair to the interest complaining, but shall not have the right to set aside the annexation of such municipality or municipalities to such city. That neither an appeal nor writ of error shall be allowed to reverse or set aside such final decree of the court.

SECTION 8. That whenever the terms and conditions of such annexation shall have been completed, the commissioners herein designated shall file a transcript of such terms and conditions with the recorder of

such county, and also transmit a certified copy of the same to the secretary of state, and the same shall be by such secretary recorded in his said office. And thereafter such territory and municipalities so annexed shall be governed by the respective boards and officers of such city annexing the same. Upon such annexation, the board of legislation shall by ordinance provide for the division of such annexed municipality or municipalities into wards, and thereafter members of the board of legislation and members of the board of education of any school district affected by such annexation shall be elected in the even and odd numbered wards, respectively, whenever members of said boards for the even and odd numbered wards, respectively, are elected in the city and school district to which such annexation is made; provided, that at the first annual municipal election held after such annexation members for the ward in such annexed territory shall be chosen for one or two years, as the case may require, so that the terms expire whenever terms of existing members in odd and even numbered wards, respectively, expire.

SECTION 9. That all officers and boards created for the government of the different municipal corporations so annexed to such city existing before such annexation, and of the several school districts in the territory and municipal corporations so annexed shall be abolished whenever such annexation is complete; and the title to all real estate and property of all description heretofore vested in such municipal corporations so annexed, and in the several school districts so annexed, shall be by this act transferred to such annexing city and school district of such city, respectively.

SECTION 10. That all acts or parts of acts inconsistent with the provision of this act are hereby repealed.

SECTION 11. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.

*Speaker of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed April 13, 1893.

263G

[House Bill No. 1838.]

## AN ACT

To amend section one of an act entitled "An act to authorize cities of the first grade of the first class to annex contiguous municipal corporations of other grades or classes, lying within any county containing such cities of the first grade of the first class," passed April 13th, 1893.

[CINCINNATI.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section one of said act be amended to read as follows:

Sec. 1. That any city of the first grade of the first class shall have the power to annex to its corporate limits any contiguous municipal corporation, or corporations of other grades or classes situate in the county containing such city of the first grade of the first class, upon compliance with the terms and conditions hereinafter recited.

SECTION 2. That said original section one be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*

ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 24, 1893.  
369G

[Senate Bill No. 476.]

### AN ACT

To regulate the levying of taxes for county and judiciary purposes, and to create a sinking fund in certain counties, and to repeal the act of May 4, 1885 (vol 82, p. 252, O. L.).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That it shall be the duty of the commissioners of any county of the state, containing a city of the first grade or the first class, to annually, at their June session, levy on each dollar of the valuation of taxable property within their county, for county purposes other than for roads, bridges, judiciary, county buildings, sites therefor, and the purchase of any land for infirmary purposes, one mill; and whenever in any such county the above levy is deemed insufficient for general county purposes, the commissioners may increase said levy by any amount not exceeding five-tenths of a mill on the dollar valuation.

SECTION 2. It shall be the duty of the commissioners of such counties aforesaid, annually, at their June session, to make a levy not to exceed eight-tenths of a mill on each dollar of valuation, on all the taxable property in such counties, for judiciary purposes, the proceeds of said levy to be placed in a separate fund to be called the judiciary fund. Said fund shall be applied to the payment of salaries of judges and other court expenses, and all other expenses incidental to the administration of justice in said counties which have heretofore been paid out of the county fund, including the allowance to official stenographers and the salaries and expenses of the county solicitor and county prosecuting attorney and county coroner and their assistants, as provided by law; provided, however, that the expenses of maintaining the court-house, the county jail expenses and the expense of maintaining inmates of house of refuge, shall be paid out of the county fund, and that judgments against the county shall be paid out of the county fund or out of any fund that may be by law specially provided therefor.

SECTION 3. It shall be the duty of the commissioners of such counties aforesaid, annually, at their June session, to make a levy, not exceeding one-tenth of a mill on each dollar of valuation on all taxable property in such counties, to create a sinking fund for the payment at maturity, of bonds issued by the said counties in pursuance of law.

SECTION 4. That so much of sections 2823 and 2824 of the Revised Statutes of Ohio, as conflicts with this act, is hereby suspended, and declared to be wholly inoperative in the counties described in this act.

SECTION 5. That the act passed May 4, 1885 (vol. 82, p. 252, O. L.), being "An act to regulate the levying of taxes for county, road and bridge

purposes, and to create a sinking fund in certain counties," be and the same is hereby repealed.

SECTION 6. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 19, 1893.  
295G

[House Bill No. 1198.]

### AN ACT

To authorize cities of the first grade of the first class to improve turnpikes or avenues which have become city streets, and to provide for the payment of such improvements.

[CINCINNATI.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in cities of the first grade of the first class, the board of administration of any such city shall have authority to cause any turnpike or avenue within its corporate limits, and which has become or may become a public street of such city, either by abandonment by the turnpike or avenue company, or by appropriation by such city, or otherwise, by grading and curbing and improving the roadway with brick pavement or other material, and wherever necessary by constructing bridges or viaducts over any stream, water-course, or railroad crossing, and the method of procedure in such cases shall be as follows; provided that a petition, signed by a majority of the owners of the abutting property represented by the front feet, shall be first filed with the board of administration of said city and which petition shall set forth the kind of pavement desired by said owners and shall be verified by the corporation counsel as truly representing the legal owners of the majority of the feet fronting on said avenue, between the terminal points of the improvement:

1. A careful estimate shall be made of the cost of said work, including the material to be furnished therefor, and if a bridge or viaduct is to be built a separate estimate shall be made of the cost of such bridge or viaduct; and provided, further, that if the said board of administration deems it necessary or best, they may improve such streets or highways in sections.

2. The provisions contained in paragraphs 2, 3 and 5, of section 2293a of the Revised Statutes of Ohio, as amended April 25, 1885, and the provisions contained in paragraph 2 of section 2293b, of the Revised Statutes, as enacted April 4, 1888, shall apply to improvements under this act, and be the mode of procedure hereunder; provided, that all the powers conferred upon and to be exercised by the board of public works or the board of public affairs under said sections 2293a and 2293b, shall be conferred upon and exercised by the board of administration of such city hereunder.

3. All material necessary to be removed from any such street or highway where such improvement is to be made, shall go to and become the property of the contractor as part compensation for such improve-

ment, and the advertisement for bids shall state that said materials are to go to the contractor so that all bidders may know that fact and make their bids with reference thereto.

4. Two-thirds of the cost of the grading, guttering and improving the roadway for any such improvement shall be paid by the city at large, upon order of said board of administration out of the fund herein provided for such improvements; provided, however, that if a bridge or viaduct is built in connection with such improvement of any such street or highway, that the entire cost of such bridge or viaduct shall be paid by the city at large upon order of said board of administration out of the said fund herein provided. Said city shall be considered a property owner as to any property belonging to the corporation abutting upon any such street or highway so improved; provided, however, that the two-thirds of the cost of any such improvement so paid by the city at large, shall be held to include all other costs of such improvement required to be paid by the corporation, including the cost as to intersections. One-third of the entire cost of the grading, guttering and paving the roadway of any such improvement shall be assessed upon the parcels of land bounding or abutting upon the improvement in the manner provided by law.

5. In order to provide a fund for improving any such street or highway and paying so much of the cost thereof as is herein provided to be paid by the city at large, including the whole cost of any bridge or viaduct necessary, it shall be lawful for said board of administration to issue bonds in an amount not to exceed the sum of \$400,000 in the name of said city, under the corporate seal thereof; said bonds shall be made payable in not less than ten years and not more than twenty years from the date of their issue, and bear interest at a rate not exceeding four per cent. per annum; said bonds shall be signed by the president of said board of administration and by the mayor of the city and attested by the city auditor, and shall be secured by the pledge of the faith of the city, and a tax, which it shall be the duty of the board of legislation of such city, annually, to levy upon all the taxable property of such city, and certify the same to the county auditor, upon a certificate to that effect from the said board of administration as to the amount necessary to pay the interest thereon, and to provide a sinking fund for the final redemption of said bonds. Said tax shall be in addition to the amount now authorized to be levied for municipal purposes.

6. Said board of administration shall receive bids for said bonds after advertising the same for sale once per week for four consecutive weeks, on the same day of the week in some newspaper of general circulation in said city, and shall sell the same for not less than the par value thereof with accrued interest to the highest bidder. The money arising from the sale of said bonds shall be placed in a fund to be called "the avenue pavement fund;" a careful account of the condition of said fund shall be separately kept by the auditor of said city.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 20, 1893.

302G

[Senate Bill No. 525.]

## AN ACT

To amend an act entitled "An act to authorize cities of the first class to issue bonds for university purposes," passed April 27th, 1872 (O. L. 69, 164), as amended May 8th, 1878 (O. L. 75, 138).

[CINCINNATI.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 1 and 2 of an act entitled "An act to authorize cities of the first class to issue bonds for university purposes," passed April 27, 1872 (O. L. 69, 164), said section 2 having been amended by an act passed May 8th, 1878 (O. L. 75, 138), be amended so as to read as follows:

Sec. 1. That the common council or board of legislation of any city of the first class, wherein a board of directors of any university, college or institution for promoting education, has been or may hereafter be elected or appointed in pursuance of the provisions of the act entitled "An act to enable cities of the first class to aid and promote education," passed April 16, 1870, are hereby authorized to issue the bonds of said city in any sum not exceeding one hundred thousand dollars, to provide for the building and apparatus necessary for such university; said bonds to bear a rate of interest payable semi-annually, not exceeding four per cent. per annum, payable at such date and for such length of time as to said council or board of legislation may seem expedient; the same shall be sold at not less than par, and the proceeds of such sale credited in the account of such university, and applied by the directors thereof exclusively to the said purposes. Provided, however, that the issue herein authorized shall be in addition to any bonds of such city that may heretofore have been issued for like purposes under the authority conferred by said act of April 27, 1872, and that may be now outstanding.

Sec. 2. If any bonds of such city have been or shall be issued for the purposes as specified in the foregoing section, it shall be the duty of the board of education of such city annually hereafter to include in the tax levy for school purposes, a levy on all the taxable property of said city of the tax authorized for university purposes, by section 4104 of the Revised Statutes of Ohio, and the proceeds thereof shall be paid into the city treasury and shall be pledged and applied by the common council or board of legislation of such city in payment of the interest which may accrue on said bonds, and as a sinking fund not exceeding four per cent. yearly on the amount of bonds so issued for the redemption of the principal, and the residue, if any, of such tax shall be paid over to the board of directors of such university every year for the support of such university, college or institution of learning; provided, that whenever said bonds and the interest thereon shall have been fully paid, the board of education of such city may exercise the discretion conferred upon said board by said section 4104.

SECTION 2. That said original section 1 of said act be and is hereby repealed; but such repeal shall not affect any bonds already issued under the authority conferred by said act and now outstanding; and section 2 of said act as amended May 8th, 1878, is hereby likewise repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,  
*Speaker pro tem. of the House of Representatives.*  
 ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 20, 1893.  
 305G

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[House Bill No. 1878.]

## AN ACT

To authorize the council of any incorporated village in the state of Ohio which contained at the last federal census, or which at any subsequent federal census may contain a population of not less than one thousand nine hundred and sixty and not more than two thousand, to issue bonds and levy a tax for the payment of the same and the interest thereon, for the purpose of building water-works and supplying water to said village, and the purchase and erection of an electric light plant.

[ELMWOOD.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of any incorporated village in the state of Ohio, which at the last federal census contained, or which at any subsequent census may contain a population of not less than one thousand nine hundred and sixty nor more than two thousand, be and the same are hereby authorized to issue the bonds of said village in a sum not exceeding twenty thousand (\$20,000) dollars, bearing interest at a rate not exceeding five per cent. per annum from the date of issue, payable semi-annually, and redeemable at such times as the council by ordinance may prescribe, not more than thirty years from date, to be applied to the erecting of a water-works and electric light plant for said village, to be owned and operated by said village.

SECTION 2. Said bonds shall be signed by the mayor and countersigned by the clerk of said village in denominations of not less than \$100, nor more than \$500, and shall not be sold for less than their par value, and may be sold at such times and in such amounts from time to time as will best subserve and carry out the purpose for which they are issued.

SECTION 3. The funds realized from the sale of said bonds shall be used only for the purpose of erecting and maintaining a plant for the supplying of water and light to said village and the inhabitants thereof, by a complete water-works and electric light plant to be constructed, owned and controlled by said village.

SECTION 4. That for the purpose of paying said bonds and the interest thereon as the same become due, the said council is hereby authorized and empowered to levy on all the taxable property of said village a tax for such an amount annually not exceeding three (3) mills above the maximum authorized by the general laws, which levy shall be placed on the duplicate by the auditor of the county, collected as other taxes and when collected, paid over to the treasurer of such village.



**SECTION 5.** That before such bonds shall be issued or tax levied the question of issuing said bonds and levying said tax shall be submitted to the qualified voters of such village at a regular or general election or at a special election called for that purpose, of which ten days' notice shall be given in two newspapers printed and in general circulation in said county, designating the amounts of bonds proposed to be issued and the purpose for which issued. Those voting in favor of the issue of such bonds shall have written or printed on their ballots the words "Issue of bonds for water-works and electric light plant—Yes;" and those voting against the same the words "Issue of bonds for water-works and electric light plant—No;" and if a majority of all the votes cast at said election shall be in favor of issuing such bonds then the council of such village shall have authority to proceed to issue said bonds, and not otherwise.

**SECTION 6.** This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,  
*Speaker pro tem. of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 27, 1893.  
489G

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[Senate Bill No. 516.]

### AN ACT

To amend section 19 of an act entitled "An act to provide a license for trades, business and professions carried on in cities of the first class, etc.," passed April 16, 1883.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Ohio,* That section 19 of an act entitled "An act to provide a license for trades, business and professions carried on in cities of the first grade of the first class, etc.," passed April 16, 1883, be amended so as to read as follows:

**Sec. 19.** Peddlers or hawkers of produce or goods from vehicles, attended by one person, and drawn by animal power, shall pay a license of fifty dollars per annum, and when attended by more than one person, they shall pay fifteen dollars per annum additional for each additional person with such vehicle; and those selling produce or goods from vehicles or carts drawn by hand or carried in baskets by one or more persons, shall pay a license fee of fifteen dollars per annum. Peddlers or hawkers of meat, fish, games, poultry, oysters, vegetables, fruit, candies, groceries, produce and dairy products from stands, shall pay a license fee of twenty-five dollars per annum. Provided, that any person selling produce of his own raising shall not be liable for license for selling, hawking or peddling the same in any mode or manner in the markets, public streets or alleys of said city.

**SECTION 2.** That section 19 of the act entitled "An act to provide a license for trades, business and professions carried on in cities of the first grade of the first class, etc.," passed April 16, 1883, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
 ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 27, 1893.  
 450G

[Senate Bill No. 593.]

### AN ACT

To amend an act entitled "An act to authorize cities of the first class to issue bonds for university purposes," passed April 27th, 1872 (69 O. L., 164), as amended May 8th, 1878 (75 O. L., 138), as amended April 5th, 1889 (86 O. L., 210), as amended April 20th, 1893.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 2 of said act passed April 27th, 1872 (69 O. L., 164), as amended May 8, 1878 (75 O. L., 138), as amended April 5th, 1889 (86 O. L., 210), as amended April 20th, 1893, entitled "An act to amend an act entitled 'an act to authorize cities of the first class to issue bonds for university purposes,'" be so amended as to read as follows:

Sec. 2. If any bonds of such city have been or shall be issued for the purposes as specified in the foregoing section, it shall be the duty of the board of education of such city, annually hereafter, to include in the tax levy for school purposes, a levy on all the taxable property of such city of not less than one-tenth of a mill in excess of the interest and sinking fund hereinafter mentioned, nor more than three-tenths of one mill on the dollar valuation thereof on the duplicate, and the proceeds thereof shall be paid in the city treasury and shall be pledged and applied by the common council or board of legislation of such city in payment of the interest which may accrue on said bonds, and, in addition thereto, as sinking fund, not exceeding four per cent. yearly on the amount of the bonds so issued for the redemption of the principal, and the residue of such tax shall be paid over to the board of directors of such university, college, or institution of learning; provided that whenever said bonds and the interest thereon shall have been fully paid, the board of education of such city may exercise the discretion conferred upon said board by section 4104 of the Revised Statutes of Ohio, as amended April 6th, 1893.

SECTION 2. That said section 2 of said original act, as amended April 5th, 1889 (86 O. L., 210), as amended April 20th, 1893, be and is hereby repealed, and this act shall be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
 ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 27, 1893.  
 459G

## HANCOCK COUNTY.

[Senate Bill No. 382.]

## AN ACT

To authorize the trustees of Amanda township to improve the roads in said township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of township trustees of Amanda township, Hancock county, Ohio, be and are hereby authorized and empowered to improve by grading, draining and graveling or macadamizing, or both, any state, county or township road, or part thereof, within said township, and to levy therefor a tax on all the taxable property of said township, listed on the general duplicate for taxation, not to exceed in any one year five mills, for not exceeding twenty-nine (29) years, in manner and upon conditions hereinafter specified and prescribed.

SECTION 2. The roads improved under the provisions of this act shall not be more than sixty nor less than thirty feet wide, shall be graded so as to drain freely to the sides, and the macadamizing or graveling, or both, when completed, shall not be less than ten nor more than sixteen feet in width, nor less than ten inches thick in the center, and not less than six inches thick at the sides; the roads shall be well provided with all necessary side drains and other ditches providing an outlet for the drainage of the roadbed.

SECTION 3. To anticipate the receipts which may come into the county treasury by virtue of such tax, the township trustees may borrow such sum of money as shall not exceed nine-tenths ( $\frac{9}{10}$ ) of the tax levied or to be levied, at a rate of interest not to exceed six (6) per cent. per annum, interest payable semi-annually, and issue bonds therefor in sums of not less than one hundred nor more than one thousand dollars (\$1,000) each, payable at such times and places as may be determined by said board of township trustees; but no bond shall extend beyond a period of thirty years, and shall not be sold for less than their par value.

SECTION 4. The township trustees of said township shall appoint a township supervisor or superintendent, who shall have the general supervision over the roads to be improved, under the direction and guidance of the board of township trustees. The supervisor shall, before entering upon his duties, execute a bond in the penal sum of one thousand dollars (\$1,000), payable to the trustees of said township, and conditioned upon the faithful discharge of his duties; said supervisor shall be appointed for no longer than one year at a time, but his continuance in the employ of the trustees during that time shall depend on the faithful and intelligent performance of his duties; and the said supervisor shall receive for his services the sum of two (2) dollars per day for the time actually employed in working and supervising the work in said township.

SECTION 5. The money collected by taxation shall be expended under the directions of said township trustees, in such manner as shall seem to them most advantageous to the interest of said township, for the graveling, macadamizing, or for the construction, reconstruction, or repair of such principal highways of said township as have been selected for improvement.

SECTION 6. Before the trustees shall make any levy under this act, there shall be presented to them a request in writing, signed by not less than fifty resident taxpayers of said township, and the said trustees shall then submit the question of accepting or rejecting the provisions of this act to the qualified electors of said township, at a regular election, after giving at least twelve days' notice thereof by posting in ten (10) of the most public places in said township written or printed notices. The tickets to be voted at any election at which said question shall be submitted, shall have printed thereon the words "Road improvement—Yes;" or, "Road improvement—No;" and returns of said election shall be made by the officers thereof within five (5) days to the township trustees.

SECTION 7. If at any time after one (1) year from any election which shall be held under the provisions of this act, fifty (50) or more taxpayers of said township shall, by written notice to the township trustees, request an election to be held within said township for the purpose of voting upon the question of accepting or rejecting the provisions of this act, the township trustees shall, at least twelve days before the next general election, proceed to give notice of such election, as is provided in section six (6), which election shall be held and returns thereof made in the same manner as is prescribed in section six (6) of this act.

SECTION 8. After the passage of this act, and upon the acceptance of its provisions by the legal voters of said township, as provided in section six (6), all road repair fund which may hereafter be levied by the commissioners of Hancock county shall cease, so far as relates to Amanda township, and said township shall be exempt from said levy.

SECTION 9. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed February 2, 1893.  
38L

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[House Bill No. 1493.]

## AN ACT

To authorize the township trustees of Pleasant township, Hancock county, Ohio, to levy additional tax for the erection of a soldiers' monument.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Pleasant township, Hancock county, Ohio, are hereby authorized and empowered to levy an additional tax to that already authorized by law on all the taxable property in said township, including the incorporated village of McComb, for the purpose of the erection of a soldiers' monument. Such additional tax shall not exceed the sum of two thousand dollars.

SECTION 2. Said additional levy shall be made into equal annual instalments, and shall be made and collected in same manner as taxes for township purposes are made and collected.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 22, 1893.  
164L

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[Senate Bill No. 534.]

### AN ACT

To authorize the commissioners of Hancock county, Ohio, to levy a tax to provide for a deficiency in the county fund of said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Hancock county, Ohio, be and they are hereby authorized, in the year 1893 and the year 1894, to levy a tax on all taxable property of said county to an amount not to exceed one mill on the dollar of the valuation thereof, in addition to the amount now authorized to be levied for general county purposes, the same to be entered upon the grand duplicate of said county and collected in the same manner as other taxes in said county are collected.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 6, 1893.  
251L

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[House Bill No. 1634.]

### AN ACT

To authorize the commissioners of Hancock county, Ohio, to levy a tax for the purpose of paying an existing indebtedness of the Hancock county agricultural society.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Hancock county, Ohio, be and they are hereby authorized and directed to levy a tax, in addition to that now authorized by law, on all the taxable property of said county for the year A. D. 1893, of one-fourth of one mill on the dollar, the money so realized to be credited to a fund to be designated "the Hancock county agricultural society fund," and used in paying an existing indebtedness of five thousand dollars and accruing interest, incurred by said agricultural society in erecting buildings and other improvements upon the fair grounds, the title of which grounds is vested in said county.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 6, 1893.  
261L

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[Senate Bill No. 407.]

AN ACT

To authorize the council of certain municipal corporations to sell, and trustees of gas-works to purchase bonds of same corporation without advertising.

[FINDLAY.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in any municipal corporation whose board of trustees of the gas-works are authorized by law to create a "gas-works sinking fund" and purchase bonds with the surplus revenue of the gas-works, the council shall have authority to sell, and such board of trustees the authority to purchase any bonds of the same corporation, at not less than their par value and accrued interest, without the same being advertised for sale.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed February 15, 1893.  
57G

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[Senate Bill No. 490.]

AN ACT

To authorize councils of cities of the second class, third grade, laid out into sewer districts, to levy a special tax of not to exceed one mill on the dollar valuation, in addition to the general levy, on the respective sewer districts for the purpose of paying the interest on the bonds issued to provide the means for the construction of sewers therein.

[FINDLAY.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in any city of the second class, third grade, where the corporation is laid out into sewer districts and sewers have been or shall hereafter be constructed therein and bonds issued to provide the means to pay the cost and expenses of the construction of said sewers, the council may levy a special tax of not to exceed one mill on the dollar valuation, in addition to the general levy, on all the real and personal property in the respective sewer districts for the purpose of paying the interest on the bonds issued to provide the means for the construction of sewers therein.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 21, 1893.  
152G

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## HARDIN COUNTY.

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[House Bill No. 1457.]

### AN ACT

To authorize the city of Kenton, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city council of the city of Kenton, Hardin county, Ohio, be and hereby is authorized to transfer the sum of one hundred and twelve dollars and seventy-five cents from Railroad street improvement fund to Lynn street improvement fund; and also to transfer the sum of two hundred dollars from the general fund to the sanitary fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,  
*Speaker pro tem. of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 8, 1893.  
108L

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[House Bill No. 1721.]

### AN ACT

To authorize the city of Kenton, Hardin county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city of Kenton, Hardin county, Ohio, be and hereby is authorized to transfer the sum of two thousand (\$2,000) dollars from the water-works sinking fund to the street improvement fund of said city.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 11, 1893.  
270L

[House Bill No. 307.]

## AN ACT

To redistrict certain cities of the fourth grade of the second class.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in every city of the fourth grade of the second class which had at the last federal census a population not less than 5,550 and not greater than 5,560, or which at any subsequent federal census may have a population of not less than 5,550 and not greater than 5,560, it shall be the duty of the mayor of such city, within five days from the passage of this act, upon petition of not less than twenty electors of such city, to appoint four electors and actual residents of said city, not more than two of whom shall belong to the same political party, who shall constitute a redistricting board for such city.

SECTION 2. The members of said board shall be sworn by the probate judge faithfully and impartially to discharge the duties conferred upon them by this act, and shall immediately proceed to redistrict such city into wards, which shall be bounded by center lines of streets, alleys, public grounds, corporation lines, water-courses and railroads. Said wards shall be composed as nearly as possible of adjacent and compact territory; they shall contain as nearly as practicable, an equal number of inhabitants and shall be consecutively numbered.

SECTION 3. Said redistricting board shall immediately give notice, by publication in two newspapers of opposite politics printed in such city, of their organization and the time and place of their sessions; said board shall hear and carefully consider all petitions for any change of division of territory and all objections and complaints to any proposed change or division; said board shall be in session not to exceed ten days, and shall cause copies of the plats of the wards as finally adopted by them and a description of the boundaries of the same to be made, and shall deposit one of said copies certified by them with the mayor of said city and another with the city clerk, who shall immediately record the same in the record book of general ordinances, and such redistricting shall, from the date of its adoption by said board, have the same effect as if made by ordinance of council; said board shall cause a description of the boundaries of the wards, as established and constituted by them, to be published for three consecutive weeks in two newspapers of opposite politics printed in such city. The concurrence of three members of said board shall be sufficient for the making of any order or the validity of any act of said board; and the wards so established by said board shall not again be changed before the fifth annual municipal election next after such redistricting.

SECTION 4. Each member of said board shall receive as compensation for his services the sum of three dollars for each day actually employed in performance of the duties herein prescribed; and said compensation and all necessary expenses of said board, including engineer and clerk hire, shall be paid out of the general funds of such city; and the city clerk, upon the presentation of an order signed by said board, or a majority thereof, shall issue his warrant for the amount upon the treasurer, who shall pay the same.

SECTION 5. At the first municipal election held in such city next after such division and redistricting, there shall be elected in each of the



wards so constituted, by the electors thereof, two members of the city council, one to serve for one year and one to serve for two years, and thereafter annually there shall be elected in each of said wards one member of the city council who shall serve for two years. Members of the city council in such city in office at the time of such division and redistricting, shall hold their offices until the members so elected shall have been qualified, whereupon their offices as such councilmen shall cease and determine. The city council so elected from the wards so constituted shall, at their first regular meeting, elect a city clerk for such city for the term of two years, and the city clerk in office at the time of such division and redistricting shall hold his office until the clerk so elected by said council shall have been qualified, whereupon his office as such clerk shall cease and determine.

SECTION 6. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,

*Speaker pro tem. of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 27, 1893.

421G

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## HARRISON COUNTY.

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[House Bill No. 1178.]

### AN ACT

To authorize and require the commissioners of Harrison county, Ohio, to build a court-house.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Harrison county, Ohio, are hereby authorized and required to construct, without unnecessary delay, a court-house on the public square at the county seat of said county, at a cost not to exceed one hundred thousand dollars. For the construction of such building bids are to be received as provided by law; but no bid shall be entertained by said commissioners that shall exceed the said sum of one hundred thousand dollars as herein authorized for the completion of the entire building.

SECTION 2. That the county commissioners of said county, for the purpose of constructing said court-house, are hereby authorized to borrow such sums of money as may be necessary, at a rate not exceeding six per cent. per annum, and issue the bonds of said county to secure the payment of principal and interest thereon; such interest shall be paid semi-annually at the office of the county treasurer; said bonds shall be issued and sold in all respects in pursuance of existing law at not less than their face value, and the principal shall be paid at the said county treasurer's office at such times as the commissioners shall prescribe, not

exceeding nine years after date, and said bonds shall specify the object for which they were issued. The commissioners shall, annually, at their June session, levy such amount of taxes as will fully meet the interest on such indebtedness and at least one-ninth of the principal.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 23, 1893.  
186L

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[House Bill No. 1726.]

### AN ACT

To supplement an act entitled "An act to authorize and require the commissioners of Harrison county, Ohio, to build a court-house," passed March 23, 1893.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That an act entitled "An act to authorize and require the commissioners of Harrison county, Ohio, to build a court-house," passed March 23, 1893, be supplemented to read as follows: Upon the passage of this act there shall be appointed by the judge of common pleas court of said county, four competent freeholders thereof, not more than two of whom shall be members of the same political party, to be known as the "building committee," who shall hold their office for two years or until said court-house is completed, unless the court shall sooner remove them. They are hereby authorized to act and vote with said commissioners in procuring, making and approving plans, estimates and specifications for said court-house, in awarding contracts for labor and materials used in building the same, and for furnishing said court-house when completed, and in determining all questions in connection therewith until it shall be completed and furnished according to contracts, and accepted by a majority of said commissioners and of said committee; and said judges are authorized to fill any vacancy arising in said committee from any cause, should they deem it necessary and advisable so to do. The members of said committee shall receive no compensation for their services when rendered within the county. When performing necessary services beyond the limits of the county, they shall each receive their reasonable traveling expenses, to be paid out of the county treasury, on the warrant of the county auditor.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 13, 1893.  
294L

[House Bill No. 1826.]

## AN ACT

To authorize any village in the state of Ohio, which had at the last federal census a population of not less than 1,716 nor more than 1,726, or which may have such population at any succeeding federal census, to issue bonds for the purpose of providing such village with a system of water-works and the purchase of apparatus for the extinguishment of fires.

[CADIZ.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village council of any village having a population of not less than 1,716 nor more than 1,726 at the last federal census, or which may have such population at any subsequent federal census, in the state of Ohio, be and is hereby authorized and empowered to issue bonds of said village in any sum not to exceed thirty-five thousand (\$35,000.00) dollars, and bearing interest at a rate not exceeding six per cent. per annum, payable semi-annually, and such bonds shall be of such denominations as the council shall, by ordinance determine, but not less than one hundred dollars each, and shall be made payable at such times and place as the council shall, by ordinance prescribe, but not more than thirty years from date, and such bonds shall not be sold for less than their par value in cash. At any time after fifteen years from date of the issuing of such bonds, the council may pay off in full the bonds then remaining unpaid, upon ninety days' notice to the owner or holder of such outstanding bonds. The proceeds of such bonds shall be used for the purpose of buying or leasing the necessary land and water-right and privileges, and drilling for the same, if necessary, and buying the necessary material and constructing therewith a system of water-works for the said village, and building necessary buildings and purchasing necessary apparatus and appliances for the extinguishment of fires and supplying the citizens of said village with water at reasonable charges, and for no other purpose whatever; and such bonds shall be signed by the mayor of said village and attested by the clerk thereof and the seal of said village; and when sold the proceeds shall be paid to the treasurer of said village, who shall hold and disburse the same as other village funds are by him held and disbursed.

SECTION 2. If bonds of said village be issued as hereinafter provided, it shall be the duty of the council of said village, annually thereafter, until the said bonds and the interest thereon are fully paid, to assess and levy a tax on all the taxable property of the corporation, in addition to all other taxes authorized by law, sufficient to provide for the payment of said bonds as they fall due with interest accruing thereon.

SECTION 3. Provided, that before said bonds are issued the village council shall submit the proposition of issuing the same to the qualified electors of said village at a general or special election to be held for such purpose at such time and place in the corporation as the council shall determine by resolution. Notice shall be given of the time and place of holding such election and the amount of bonds to be issued at least ten days prior to the time of holding such election, in a newspaper of general circulation in said village, and the form of the ballot shall be as follows: Those in favor of the construction of water-works and the issuing of said bonds shall have written or printed on their ballots "Water-works—Yes."

Those opposed to the construction of water-works and the issuing of said bonds shall have written or printed upon their ballots "Water-works—No." Said ballots shall be provided by the council of said village, and the expense thereof and of said election shall be paid by said village. Said election shall be held in accordance herewith and with the statutes governing elections in force prior to the 30th day of April, 1891, so far as applicable. The returns and poll books shall be made by the clerk, who shall return and present the same to the council at the first regular meeting after such election, when the same shall be opened and canvassed and the result declared by the council; and if it appear that a majority of the ballots cast at such election were in favor of water-works, then the council may proceed to issue such bonds and not otherwise; and all acts and parts of acts and provisions of law inconsistent herewith shall have no application to the election to be held under this act.

SECTION 4. This act shall be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed April 19, 1893.

300G

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## HENRY COUNTY.

[House Bill No. 983.]

### AN ACT

To authorize the council of the incorporated village of Liberty Center, Henry county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Liberty Center, Henry county, Ohio, be and it is hereby authorized to transfer the sum of two hundred dollars (\$200.00) from the police fund to the fire fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed January 11, 1893.

3L

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[House Bill No. 1115.]

### AN ACT

To authorize the commissioners of Henry county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Henry county, Ohio, be and

are hereby authorized to transfer the sum of one thousand (\$1,000.00) dollars permanently, from the poor fund to the general building fund of said county.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed January 30, 1893.  
34L

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[House Bill No. 1458.]

### AN ACT

To authorize the council of the incorporated village of Deshler, Henry county, Ohio, to issue bonds for the purpose of paying existing indebtedness.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Deshler, Henry county, Ohio, be and they are hereby authorized to issue and sell the bonds of said village to the amount of two thousand (\$2,000.00) dollars, for the purpose of paying an existing indebtedness of said village.

SECTION 2. Said bonds shall be issued in denominations of one thousand (\$1,000.00) dollars each, to run such length of time as the council may deem best, and shall be signed by the mayor and clerk of said village. Said bonds may be sold at private sale; they shall bear interest at a rate not to exceed six per cent. per annum, payable semi-annually, and shall not be sold for less than their par value together with accrued interest.

SECTION 3. For the purpose of providing for the redemption of any such bonds so issued and sold, and for the interest which may accrue thereon, the council of said village may annually levy a sufficient rate of taxation upon all the taxable property of said village, in addition to the taxes now authorized by law.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 14, 1893.  
125L

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[House Bill No. 1782.]

### AN ACT

To authorize the board of education of the Napoleon union school district, Henry county, Ohio, to levy an additional tax for school purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the Napoleon union school district,

Henry county, Ohio, be and they are hereby authorized to levy annually, for school purposes, a tax not to exceed one mill on the dollar, upon all the taxable property of the said Napoleon union school district, in addition to the taxes now authorized by law.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 18, 1893.  
310L

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[ House Bill No. 1827.]

### AN ACT

To authorize the mayor of any incorporated village in the state of Ohio which, at the federal census of A. D. 1890, had, or which at any subsequent federal census may have, a population of not less than 2,760 nor more than 2,775 to appoint trustees of water-works.

[ NAPOLEON. ]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That when the council of any incorporated village in the state of Ohio which, at the federal census of A. D. 1890, had, or which at any subsequent federal census may have, a population of not less than 2,760 nor more than 2,775 shall establish a board of trustees of water-works, as provided for in section 2408 of the Revised Statutes, more than six months prior to the time for holding the regular municipal election, the mayor of such village, by and with the advice and consent of the council may appoint such three trustees to serve until the election and qualification of their successors in said office as provided for in section 2408 of the Revised Statutes.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 24, 1893.  
368G

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### HIGHLAND COUNTY.

[House Bill No. 1341.]

### AN ACT

To authorize the commissioners of Highland county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of the county of Highland, be and they are hereby authorized to permanently transfer the sum of three

hundred and sixty-one dollars and fifty-four cents (\$361.54) from the special fund known as the free turnpike No. 35, to the bridge fund of said county.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 2, 1893.  
100L

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[House Bill No. 1565]

### AN ACT

To authorize the commissioners of Highland county, to issue bonds to pay existing indebtedness of said county, and to provide for the payment thereof.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Highland county, for the purpose of providing for existing indebtedness of said county, be and they are hereby authorized to issue the bonds of said county for an amount not to exceed thirty-five thousand dollars (\$35,000), payable at such times as they, in their discretion, may think best for the interests of said county, bearing a rate of interest not to exceed six per cent. payable semi-annually.

SECTION 2. That for the purpose of providing for the payment of said bonds, the said commissioners are hereby authorized and required to levy, annually, an amount sufficient to pay the interest thereon, and shall be authorized and required to levy an amount sufficient to pay the principal of said bonds as they mature. These levies shall be in addition to all other levies authorized by law for other purposes. Said bonds shall be sold according to law.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 23, 1893.  
194L

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[Senate Bill No. 477.]

### AN ACT

To authorize the village council of any village which had at the last federal census, or which at any subsequent federal census may have a population of not less than three thousand six hundred nor greater than three thousand eight hundred, to issue bonds for the purpose of providing a system of water-works.

[HILLSBORO.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village council of any incorporated village, which at the

last federal census had or which at any subsequent federal census may have a population not less than three thousand six hundred nor greater than three thousand eight hundred, be and the same is hereby authorized and empowered to issue bonds of said village in any sum not to exceed seventy-five thousand (\$75,000) dollars, and bearing interest at a rate not to exceed six per cent. per annum, payable semi-annually, and to be of such denominations as the council shall by ordinance determine, but not less than one hundred (\$100) dollars each, and shall be made payable at such times and place as the council shall by ordinance prescribe, but not more than forty years from date, and which shall not be sold for less than par value in cash. The proceeds of such bonds shall be used for the purpose of buying or leasing the necessary land and water-right and material, and constructing thereon and therewith a system of water-works for the said village, and for no other purpose whatever; and such bonds shall be signed by the mayor of such village and attested by the clerk thereof, and the seal of the village, and when sold the proceeds shall be paid to the treasurer of the village, who shall hold and disburse the same as other village funds are by him held and disbursed. But in no event shall any of the proceeds of such bonds be used for any other purpose excepting that provided for by this act.

SECTION 2. If any bonds of such village be issued as hereinbefore provided, it shall be the duty of the council of such village, annually thereafter, until the said bonds and the interest thereon are fully paid, to assess and levy a tax on all the taxable property of such village, in addition to other taxes authorized by law, sufficient to provide for the payment of said bonds as they fall due, with interest accruing thereon. All earnings of said water-works, after deducting current expenses, shall be paid into the sinking fund and used for the extinguishing of said indebtedness.

SECTION 3. Provided, that before the said bonds are issued, the village council shall submit the proposition to the electors of such village, at a special election to be held for that purpose, at such time and place as the council shall determine by resolution, notice of which shall be given and of the time and place of holding such election, and the amount of bonds to be issued, at least ten days prior to the time of holding such election, in a newspaper of general circulation in such village, and the form of the ballot shall be as follows: Those in favor of the construction of water-works and the issuing of said bonds shall have written or printed upon their ballots "Water-works—Yes;" those opposed to the construction of water-works and the issuing of said bonds shall have written or printed upon their ballots "Water-works—No." At such election the mayor and council, any three of whom shall be a quorum, shall serve as judges; and the clerk, or in the absence from the village or disability of the clerk, some qualified elector of said village who shall be chosen by a majority of the judges aforesaid, shall serve as clerk, who shall present the poll-books and returns of said election to the council at its next meeting thereafter, when the same shall be opened and canvassed, and the result declared and entered upon the minutes of said council; and if it shall appear that two-thirds of the ballots cast at such election, or more, were in favor of water-works and the issuing of such bonds, the council shall proceed to issue said bonds and not otherwise; provided, however, before issuing said bonds or contracting any liabilities whatever, the council shall deter-



mine by ordinance, on what streets said water-pipes shall be laid, giving dimensions and kind of pipe to be used, the number of fire-plugs and the distance from each other, the height to which the water is to be raised, which shall be of sufficient height to conduct the water to any part of the village; the number of miles of pipe to be laid, and such other matters as may be necessary to have a complete and sufficient system of water-works. After the passage and publication of said ordinance, as prescribed by law, the council shall advertise for sealed proposals in accordance with the provisions of said ordinance, and which proposals may be for a part or the whole of the labor and material to be furnished, as the council, \* in its discretion, may deem best, and if it is ascertained upon the opening of such bids that said water-works can be built complete in every respect and that good and responsible parties will enter into contract, with good and sufficient bond that they will build said water-works, or such parts as may be let to them, for a sum not to exceed seventy-five thousand dollars for the whole, the council may accept such proposal or proposals as in their judgment is most reasonable, economical and satisfactory, and enter into contract for such purpose, and may issue bonds as herein provided and not otherwise. The council may at the same time advertise for proposals for private companies, who may build and own water-works in accord with the provisions of said ordinance, to supply such village and the citizens thereof with water for all purposes, public and private, and if it is ascertained that it would be for the interests of such village to contract with any private company for any period not exceeding twenty years, for the supply of water as aforesaid, then the council shall have power to enter into a contract with such private company, and to issue such amount of bonds, and to levy such annual taxes as may be necessary to pay for such annual supply, not exceeding five thousand dollars per year; provided, that the council after the passage of such ordinance may, and it is hereby authorized to issue said bonds to an amount not exceeding \$2,500.00, and expend the proceeds and the sale thereof in ascertaining and determining where a sufficient supply of water for such purpose can be obtained before buying or leasing any land or water-right or making any contract for the construction of said water-works.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 28, 1893.  
187G

[House Bill No. 1635.]

### AN ACT

To authorize villages having a population according to the last federal census of not less than 2,460, nor more than 3,000, to issue and sell bonds, not to exceed \$20,000.00 in amount for the purpose of purchasing electric light plants and operating the same in lighting streets, avenues, and public places and lights for private use.

[GREENFIELD.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That villages of the state of Ohio having a population according to

the last federal census of not less than 2,460 nor more than 3,000, or which may have such population at any subsequent census, be and they are hereby authorized and empowered to issue and sell their bonds in any sum not exceeding twenty thousand (\$20,000.00) dollars, for the purpose of purchasing, operating and owning electric light plants which are or may be constructed in such village and to be used in supplying lights for streets, avenues, and other public places and lights for private use.

SECTION 2. Said bonds shall be issued and sold as other bonds are issued and sold under existing laws for other public improvement. They shall bear date the day of issue, shall express upon their face the purpose for which they are issued and sold, the act of the general assembly by which said issue and sale are authorized, shall be signed by the mayor under the seal of the corporation and attested by the clerk of the village the same as other bonds now authorized by law for public improvements, and said bonds shall be of such denominations [and] as have interest coupons attached as the council may direct.

SECTION 3. Said bonds shall not run for a greater time than thirty years from the date of issue and shall, with the interest, be made payable at such place as the council may direct.

SECTION 4. Said bonds shall not draw interest at a rate exceeding six per centum per annum, payable semi-annually. The money obtained from the sale of such bonds shall be paid into the hands of the village treasurer, who shall distribute the same under the orders of the village council.

SECTION 5. Before any such bonds shall be issued and sold, the question of the issue and sale of such bonds shall be submitted to the qualified electors of such village, at a regular or special election called for the purpose of voting on such question; the ballots used by such electors shall have written or printed thereon the words "For the purchase of electric light plant—Yes," and "For the purchase of electric light plant—No." If a majority of such electors voting on said question shall vote "yes," then such village shall issue such bonds as herein expressed and the money obtained from such bonds or so much thereof as may be necessary shall be applied to the purchase and maintaining of such electric light plant.

SECTION 6. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 5, 1893.  
212G

## HOCKING COUNTY.

[House Bill No. 1326.]

### AN ACT

To authorize the commissioners of Hocking county, Ohio, to transfer funds from the bridge fund to the county fund of said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Hocking county, Ohio, be and they

are hereby authorized to transfer from the bridge fund to the county fund of said county a sum of money not to exceed seven thousand (\$7,000.00) dollars.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed February 23, 1893.  
81L

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[House Bill No. 1590.]

### AN ACT

To authorize the trustees of Falls township, Hocking county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Falls township, Hocking county, Ohio, be and they are hereby authorized to transfer the sum of five hundred dollars (\$500.00) from the poor fund, and the sum of three hundred dollars (\$300.00) from the road fund to the township fund of said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 23, 1893.  
190L

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[House Bill No. 1861.]

### AN ACT

To authorize certain villages to issue bonds and levy a tax, the money arising from the same to be used for the purpose of street and other improvements thereof.

[LOGAN.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of any municipal corporation which by the last federal census had, and those which may hereafter have as ascertained by any federal census, a population of not less than thirty-one hundred (3,100) nor more than thirty-three hundred (3,300) is hereby authorized to borrow not to exceed forty thousand dollars (\$40,000), to be applied for the purpose of street and other improvements thereof.

SECTION 2. That for the purpose of meeting the expenses aforesaid, the council of such village is authorized to issue bonds, to be signed by the mayor and attested by the clerk of said village, in denominations of not less than five hundred dollars (\$500.00) and not more than one thousand dollars (\$1,000.00), bearing interest at a rate not to exceed six per centum per annum, payable semi-annually; said bonds to be payable

at such time or times, not exceeding forty years from the respective dates thereof, as said council may determine, which said bonds shall not be sold for less than their par value and accrued interest, and to be sold without compensation or commission, and said bonds may, in the discretion of said council, have interest coupons attached, and said bonds and interest shall be payable at such village.

SECTION 3. That for the purpose of paying said bonds and the interest thereon as the same shall become due, the said council is hereby authorized and empowered to levy on all the taxable property of such village a tax for such an amount annually, not exceeding four mills, in addition to taxes now authorized by law to be levied, which levy shall be placed on the duplicate by the auditor of said county, collected as other taxes, and when collected paid over to the treasurer of said village.

SECTION 4. That before any contract shall be made, indebtedness contracted or bonds issued, the question shall be submitted to a vote of the qualified electors of such village at a municipal or general election, or at a special election that may be called for that purpose by said council, of which election ten days' notice shall be given by the mayor by publication in two newspapers of opposite politics and of general circulation in said village; and if two-thirds of the votes cast at such election be in favor of issuing said bonds, then the council of said village shall be authorized to issue said bonds and levy said tax as herein provided. Those voting in favor of the issue of said bonds shall have written or printed on their ballots the words "For the issue of bonds—Yes," and those voting against the issue of said bonds shall have written or printed on their ballots the words "For the issue of bonds—No."

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 25, 1893.  
396G

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[House Bill No. 1862.]

### AN ACT

To authorize certain villages to issue bonds and levy a tax, the money arising from the same to be used for the purpose of street improvements thereof.

[MURRAY CITY.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of any municipal corporation which by the last federal census had, and those which may hereafter have as ascertained by any federal census, a population of not less than eight hundred (800) nor more than one thousand (1,000), is hereby authorized to borrow not to exceed two thousand dollars (\$2,000.00), to be applied for the purpose of street improvements of such village.

SECTION 2. That for the purpose of meeting the expenses aforesaid, the council of such village is authorized to issue bonds, to be signed by the mayor and attested by the clerk of said village, in denominations

of not less than two hundred dollars (\$200.00) and not more than five hundred dollars (\$500.00), bearing interest at a rate not to exceed six per centum per annum, payable semi-annually; said bonds to be payable at such time or times, not exceeding ten years from the respective dates thereof, as said council may determine, which said bonds shall not be sold for less than their par value and accrued interest, and to be sold without compensation or commission, and said bonds may, in the discretion of said council, have interest coupons attached, and said bonds and interest shall be payable at such village.

SECTION 3. That for the purpose of paying said bonds and the interest thereon as the same shall become due, the said council is hereby authorized and empowered to levy on all the taxable property of such village a tax for such an amount annually, not exceeding two mills, in addition to taxes now authorized by law to be levied, which levy shall be placed on the duplicate by the auditor of said county, collected as other taxes, and when collected paid over to the treasurer of said village.

SECTION 4. That before any contract shall be made, indebtedness contracted or bonds issued, the question shall be submitted to a vote of the qualified electors of such village at a municipal or general election, or at a special election that may be called for that purpose by said council, of which election ten days' notice shall be given by the mayor by publication in two newspapers of opposite politics and of general circulation in said village; and if two-thirds of the votes cast at such election be in favor of issuing said bonds, then the council of said village shall be authorized to issue said bonds and levy said tax as herein provided. Those voting in favor of the issue of said bonds shall have written or printed on their ballots the words "For the issue of bonds—Yes," and those voting against the issue of said bonds shall have written or printed on their ballots the words "For the issue of bonds—No."

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 25, 1893.  
397G

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## HOLMES COUNTY.

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[House Bill No. 1175.]

### AN ACT

To authorize the trustees of Hardy township, in Holmes county, Ohio, to issue and sell the bonds of said township for the purpose of paying off and satisfying the present existing outstanding indebtedness of said township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township trustees of Hardy township, Holmes county, Ohio, are hereby authorized and empowered to issue the bonds of said township for the purpose of paying off and satisfying all, or any portion

of the present, existing, outstanding indebtedness of said township. If it shall appear to the said board of trustees to be for the best interest of said township, they shall have the power and are hereby authorized to sell at not less than their par value at public or private sale, the negotiable bonds of said township at a rate of interest not to exceed six per cent. per annum, interest payable semi-annually, provided, however, that the amount of bonds issued and sold shall not exceed the amount of the present existing, outstanding indebtedness.

SECTION 2. Said bonds shall be of denominations of \$1,000 each, shall be numbered consecutively commencing with number 1, shall contain the recital that they are issued under and by authority of this act. The bonds shall be designated as refunding bonds and shall be signed by the trustees of said township and countersigned by the township clerk; one \$1,000 bond shall become due and payable on the first day of July, 1898, and one bond of \$1,000 on the first day of July of each and every year thereafter until all of the said bonds are paid. Both principal and interest of said bonds shall be payable at the township treasurer's office in said Hardy township. After said bonds have been sold, the proceeds shall be applied to the payment of the said existing outstanding indebtedness of said township, and for no other purpose.

SECTION 3. Said bonds shall have interest coupons attached evidencing the several instalments of interest as they become due, which coupons shall be signed by the clerk of said township. Said township trustees are hereby authorized and empowered to levy, annually, a tax on all the taxable property in said township, sufficient to pay both principal and interest of said bonds, as they severally become due.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed February 1, 1898.

37L

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## HURON COUNTY.

[For act relating to Plymouth see Richland County.]

[Senate Bill No. 336.]

### AN ACT

To authorize the city council of Norwalk, Huron county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city council of Norwalk, Huron county, Ohio, be and are hereby authorized to transfer the sum of twelve hundred dollars (\$1,200.00) from the bridge fund to the street fund, and also the sum of five hundred dollars (\$500.00) from the bridge fund to the fire fund of said city.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed January 18, 1893.  
12L

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[Senate Bill No. 372.]

### AN ACT

Authorizing the council of the incorporated village of Monroeville to transfer not exceeding the sum of seven hundred dollars from surplus in the police fund to the street fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Monroeville be and it is hereby authorized to transfer from any surplus now in the police fund of said village, any sum of money not exceeding seven hundred dollars, to the street fund of the same, for the uses of street repair or street improvement.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed January 27, 1893.  
25L

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[House Bill No. 1564.]

### AN ACT

To authorize the trustees of Wakeman township, Huron county, to issue bonds and levy a tax to purchase a site and erect a town hall.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Wakeman township, Huron county, Ohio, be and they are hereby authorized to issue bonds of said township in any sum not exceeding in amount the sum of eight thousand (\$8,000.00) dollars for the purpose of purchasing a site and erecting thereon a town hall within and for said township. Said bonds shall be of such denominations, not exceeding five hundred dollars, payable at such times not exceeding five years, and at such rate of interest not exceeding six per cent. per annum, as said trustees may direct, and shall be sold at not less than their par value.

SECTION 2. For the purpose of paying said bonds and the interest thereon as the same may become due, said trustees are hereby authorized to levy annually a sufficient tax upon all the property of said township in addition to other taxes authorized by law; provided, that before said

trustees shall issue said bonds and levy said tax the proposition shall be submitted to the qualified voters of said township at the spring election of 1898; at least five days' notice being given of such election. The election shall be held at the usual place of holding elections in said township and all electors favoring said proposition shall have written or printed on their ballots, "Issue of bonds to purchase site and erect town hall—Yes," and those opposed shall have written or printed on their ballots "Issue of bonds to purchase site and erect town hall—No;" and if a majority of the electors voting at said election are in favor of said proposition, then said trustees shall have authority to issue said bonds and levy said tax and not otherwise.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 16, 1893.  
187L

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[Senate Bill No. 489.]

### AN ACT

To authorize the trustees of Greenwich township, Huron county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Greenwich township, Huron county, Ohio, be and are hereby authorized to transfer \$200.00 from the cemetery fund to the road fund of said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 22, 1893.  
184L

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[Senate Bill No. 486.]

### AN ACT

To authorize villages of the first class, which at the federal census of 1890 had, and at any subsequent census may have a population of three thousand and thirty-two (3,032), to issue bonds for municipal improvements and other purposes, paving streets, extending and improving electric lighting and water-works systems, or the construction of drains and sewers, and for the payment of any bonded indebtedness falling due, as the council of such village shall determine.

[BELLEVUE.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any village of the first class, which at the fed-



eral census of 1890 had, and at any subsequent census may have a population of three thousand and thirty-two (3,032), be and the same is hereby authorized and empowered to issue the bonds of such village in any sum not exceeding forty-five thousand dollars (\$45,000.00), in denominations not exceeding one thousand dollars (\$1,000.00) each, bearing interest not exceeding six per cent. per annum, payable semi-annually, and payable after five years, and not exceeding twenty-five years after their issue, as the council of such village shall determine. Said bonds shall be sold at not less than their par value, and in all respects not herein provided for in accordance with the provisions of section 2709 of the Revised Statutes of Ohio.

SECTION 2. The proceeds arising from the sale of said bonds, or any portion of them, shall be expended for the purposes provided for in the title of this bill.

SECTION 3. Before the bonds herein provided for shall be issued, the question of issuing them shall be submitted to a vote of the qualified electors of such village within thirty days after the passage of this bill [act], at the usual places of voting in such village, and at such time as the council of such village may appoint, to determine the question of issuing said bonds. Tickets to be voted at such election shall have printed thereon, "Authority to issue bonds—Yes;" and "Authority to issue bonds—No." If the proposition to issue bonds be approved by two-thirds or more of those voting at such election, then the council of such village shall have power to issue and sell the bonds herein provided for, as they shall be needed for the purposes herein specified and provided in this bill [act]. Notice of such election shall be published in two newspapers published and circulated in such village for not less than ten days prior to such election, which shall in all respects not herein provided for be managed and conducted as other municipal elections are, or may be managed and conducted in such village.

SECTION 4. To pay the principal and interest of any of said bonds as the same shall become due, said village council is hereby authorized and empowered to levy a sufficient tax on all taxable property of such village in addition to all other taxes authorized by law. Said taxes shall be levied and collected as other taxes in such village.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 21, 1893.  
329G

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[Senate Bill No. 578.]

### AN ACT

To authorize any city of the fourth grade of the second class, having a population of not more than 7,200 and not less than 7,190, to construct a system of water-works for said city and to issue its bonds to provide for the payment of the same.

[NORWALK.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That any city of the fourth grade of the second class, having

by the last federal census a population of not more than 7,200 and not less than 7,190, be and the same is hereby authorized to remove its water-works to a new location and empowered to purchase or lease the necessary land and water privileges therefor, and to construct a new system of water-works upon such location, and to issue the bonds of said city, in any sum necessary therefor not exceeding one hundred thousand dollars, such bonds to bear interest at a rate not to exceed six per cent. per annum, interest payable semi-annually, as the council of said city may by resolution or ordinance provide, said bonds to be issued in such amounts and be of such denomination as such council may by resolution or ordinance provide. Said bonds to be made payable at such time or times as such council may by resolution or ordinance provide, but in no case more than thirty years from the date of their issue, and which said bonds shall not be sold for less than their par value and the accrued interest in cash, the proceeds of which said bonds shall be used for no other purpose than is mentioned aforesaid.

SECTION 2. If any bonds of said city be issued as herein provided, the council of said city is hereby authorized and required, annually thereafter, until the same and interest thereon shall be fully paid, to assess and levy a tax on all the taxable property within the corporate limits of said city, sufficient, in addition to the taxes now or which may hereafter be authorized by law, to provide for the payment of interest accruing upon the bonds so issued, and also to provide by means of a sinking fund or otherwise, for the payment of the principal of such bonds as they mature, which said levy shall be placed upon the tax duplicate of said county and collected as other taxes.

SECTION 3. Before such bonds are issued or tax levied, the question of issuing said bonds and the levying of a tax to pay said bonds, shall be submitted to a vote of the qualified electors of said city at a regular or special election called for that purpose, as the council of said city may order. At least ten days' notice shall be given of the time and place of holding such election in a newspaper of general circulation in said city. Those in favor of the removal or construction of water-works, the issue of bonds, and the levy of such tax as aforesaid, shall have written or printed upon their ballots the words "For the issue of bonds." Those opposed thereto shall have written or printed upon their ballots the words "Against the issue of bonds." The election shall be held in accordance with the election laws of the state, but the poll-books and returns thereof shall be made to the city clerk, who shall present them to the city council at its first regular or special meeting held after said election, when the same shall be opened and canvassed and the result declared and entered upon the minutes of said council. If it shall appear that two-thirds of the ballots cast at such election were in favor of the issuing of bonds then the council of said city shall have the authority to issue the said bonds and levy the said tax as provided in this act, and not otherwise; provided, that at least fifteen days before said proposition to issue said bonds shall be submitted to the electors of said city, as herein provided for, the council of said city, shall determine, by resolution, the location of the site for a reservoir, or reservoirs, and pumping station to be used for said water-works, and cause such determination to be forthwith published in the daily newspapers published and of general circulation in said city; and provided further, that the proceeds of the

sale of such bonds shall be used in whole or in part upon no other location or locations.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 21, 1893.

830G

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[House Bill No. 1843.]

### AN ACT

To authorize the council of the incorporated village of Bellevue, in the counties of Huron and Sandusky, to transfer any sum not exceeding two thousand dollars (\$2,000) from the interest fund to the general fund of said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Bellevue, in the counties of Huron and Sandusky, Ohio, be and is hereby authorized to transfer any sum, not exceeding two thousand dollars (\$2,000), from the interest fund to the general fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 24, 1893.

866L

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### JACKSON COUNTY.

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[House Bill No. 1431.]

### AN ACT

To authorize the incorporated village of Jackson, in Jackson county, Ohio, to purchase lands for cemetery purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village council of the incorporated village of Jackson, in the county of Jackson, in the state of Ohio, is hereby authorized to purchase additional lands to be used as cemetery purposes, at a valuation not exceeding twenty-three hundred dollars (\$2,300.00); and for the payment of said lands said village council is hereby authorized and empowered to issue and sell the bonds of said village not to exceed in amount the sum of \$1,300.00, in addition to the funds now in the treasury applicable to said purpose, and to be issued in denominations of not less than one hundred nor more than two hundred dollars, and for a

period not exceeding three years from their date of issue. Said bonds shall not be sold for less than their par value, and shall bear interest at a rate not to exceed six per cent. per annum.

SECTION 2. In order to meet the payment of said bonds and interest as the same shall become due, said village council is authorized to levy a tax, if the same be necessary, in addition to that now authorized by law on all the taxable property of said village.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 22, 1893.  
180L

[House Bill No. 1903.]

### AN ACT

To authorize the council of any incorporated village, in the state of Ohio which contained at the last federal census, or which at any subsequent federal census may contain a population of not less than 4,320 and not more than 4,330, to issue bonds and levy a tax for the payment of the same and the interest thereon, for the purpose of building water-works and supplying water to said village.

[JACKSON.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of any incorporated village in the state of Ohio which at the last federal census contained, or which at any subsequent federal census may contain a population of not less than 4,320 nor more than 4,330, be and the same are hereby authorized to issue the bonds of said village in a sum not exceeding fifty thousand (\$50,000) dollars, bearing interest at a rate not exceeding six per cent. per annum from the date of issue, payable semi-annually, and redeemable at such times as the council by ordinance may prescribe, not exceeding thirty years, to be applied to the erecting of water-works for said village to be owned and operated by said village.

SECTION 2. Said bonds shall be signed by the mayor and countersigned by the clerk of said village, in denominations of not less than \$100, nor more than \$1,000, and shall not be sold for less than their par value, and may be sold at such times and in such amounts from time to time as will best subserve and carry out the purpose for which they are issued.

SECTION 3. The funds realized from the sale of said bonds shall be used only for the purpose of erecting and maintaining a plant for the supplying of water to said village and the inhabitants thereof by a complete water-works to be constructed, owned and controlled by said village.

SECTION 4. That for the purpose of paying said bonds and the interest thereon as the same becomes due, the said council is hereby authorized and empowered to levy on all the taxable property of said village a tax for such an amount annually not exceeding five mills above

the maximum authorized by the general laws, which levy shall be placed on the duplicate by the auditor of the county, collected as other taxes, and when collected, paid over to the treasurer of such village.

SECTION 5. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,  
*Speaker pro tem. of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 27, 1893.  
475G

## JEFFERSON COUNTY.

[House Bill No. 1364.]

### AN ACT

To authorize the trustees of Smithfield township, Jefferson county, Ohio, to levy a tax for cemetery purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Smithfield township, Jefferson county, Ohio, be and are hereby authorized to levy a tax not to exceed three tenths ( $\frac{3}{10}$ ) of one (1) mill, on the taxable property of said township outside of the borough of Smithfield, for the purpose of improving and keeping in repair the cemeteries in said township, and the said levy shall be returned by said trustees to the county auditor and be placed upon the tax duplicate to be collected as other taxes are collected for township purposes.

SECTION 2. That this act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 14, 1893.  
120L

[House Bill No. 1483.]

### AN ACT

To transfer certain school territory in Smithfield township, Jefferson county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the southeast part of lot 9, section 12, tract 8, range 3, consisting of 54 and  $\frac{50}{100}$  acres, Smithfield township, Jefferson county, Ohio, (now owned by Benjamin W. Cope), and situated in subdistrict number 9, of said township, be and the same is hereby transferred to special or independent school district number 3, of said Smithfield township.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 14, 1893.  
127L

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[House Bill No. 1314.]

### AN ACT

To authorize the city council of the city of Steubenville to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of the city of Steubenville, Jefferson county, Ohio, be and is hereby authorized to transfer the sum of three thousand dollars from the general fund to the fire department fund.

SECTION 2. This act shall take effect from its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 14, 1893.  
132L

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[House Bill No. 1562.]

### AN ACT

To create a special school district in Knox township, Jefferson county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following described territory in the township of Knox, county of Jefferson, and state of Ohio, be and is hereby made and constituted a special school district to be known as the Empire special school district, to wit: Beginning at the Ohio river, at the section line, dividing fractional sections number 26 and 27, township 4, range one [1,] thence west with said section line to the section line dividing sections 32 and 33 of said township, thence west with said line to the southeast corner of lands of William McGough, deceased, thence north with said McGough's east line to the northeast corner of said lands, thence northwest with said McGough's north line to a point in the north line dividing township 8, range 2 and fractional township 4, range one (1), thence north with said dividing line to the township line dividing Saline and Knox townships, the [thence] east with said line to the Ohio river, thence south down said river boundary to the place of beginning.

SECTION 2. This board of education shall consist of six member who shall be residents of the district, and have the qualifications of an elector therein. This section shall be governed by such laws as are and may be in force relating to special school boards.

**SECTION 3.** Such special school district shall be entitled to receive funds levied for school-houses, and its proportionate share of school funds, and funds for incidental expenses, in accordance with the enumeration for the year 1892, of children who are entitled to attend school; said funds being those now collected within the county and township treasuries, and shall be governed by such laws as now are or may hereafter be in force relating to special districts.

**SECTION 4.** This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed March 22, 1893.  
174L

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## KNOX COUNTY.

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[House Bill No. 1784.]

### AN ACT

To authorize the commissioners of Knox county, Ohio, to erect a new court-house at the county seat of said county, and if in their judgment necessary, to procure by purchase or condemnation a site therefor.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of the county of Knox are hereby authorized to build a new court-house at the county seat of said county, and, if in the judgment of the said commissioners it be necessary, they are hereby authorized to procure by purchase or condemnation a suitable site for said court-house.

**SECTION 2.** Said board of commissioners shall not enter into any contract for the erection of said court-house without first causing thirty days' notice to be given in two newspapers of general circulation in said county that sealed proposals will be received for doing the work or furnishing the material.

**SECTION 3.** Bids for such work shall be separately inclosed in a sealed envelope deposited with the county auditor, and shall have indorsed thereon the nature of the same, and all bids shall be opened by said county commissioners at the time and place stated in such notice.

**SECTION 4.** Said board of commissioners shall contract with the lowest and best bidder, upon bond being given to the state of Ohio for the use of Knox county, with such sureties as the commissioners shall approve, conditioned that the work shall be performed in accordance with the contract; provided that the work may be let in whole or in part, and the commissioners may reject any or all bids.

**SECTION 5.** To create a fund to defray the expenses to be incurred under this act, the said county commissioners of said county are hereby authorized to issue and sell the bonds of said county in a sum not to exceed one hundred and fifty thousand dollars. Said bonds to be sold as provided by section 7755 to 7759 of the Revised Statutes of Ohio.

Said bonds shall bear interest at a rate not exceeding six per cent. per annum, payable semi-annually; shall be sold at not less than their par value, and shall be payable at the county treasury of said county, or in the city of New York, as said commissioners may determine. The principal of said bonds shall be payable in sums of ten thousand dollars a year, in one, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen and fifteen years after date; and said commissioners shall, annually, at their June session, and in addition to the taxes now authorized by law, levy upon the tax duplicate of said county such amount of tax as will pay the interest of said bonds, together with the said sum of ten thousand dollars, principal payable annually as herein provided. The first payment of interest shall be for such portion of the six months as may have elapsed between the date of the issue of said bonds and the time specified therein for the payment of interest thereafter.

SECTION 6. The bonds so issued shall be signed by the said commissioners, or any two of them, and countersigned by the county auditor. They shall be issued in sums of one thousand dollars each, and shall be numbered consecutively, from one to one hundred and fifty, inclusive; and each bond shall bear upon its face the date of its maturity. They shall have interest coupons attached, and shall be registered in the office of the county auditor.

SECTION 7. Said board of county commissioners shall, within ninety days from the passage of this act, submit to the voters of said county at a special election to be called for that purpose by said board of commissioners, the question as to the policy of building said court-house and procuring a site therefor, issuing said bonds and levying the tax herein provided for. Said election shall be held in the manner and at the places where elections are usually held in said county, and notice of such election shall be published in two newspapers of general circulation in said county for three consecutive weeks prior to said election. Those voters who favor the building of said court-house, procuring of said site as aforesaid, issuing of said bonds and the levying of said tax, shall have written or printed on their ballots the words "Build court-house and issue bonds—Yes;" and those opposing the building of said court-house, the procuring of said site, the issuing of said bonds and the levying of said tax, shall have written or printed on their ballots the words "Build court-house and issue bonds—No;" and if a majority of the electors voting at said election vote "yes" on said proposition so submitted to them, then the commissioners of said county are hereby authorized to proceed in accordance with the provisions of this act; and if a majority of the electors voting at such election vote "no" on said proposition so submitted to them, then the commissioners of said county shall have no authority to proceed further under the provisions of this act.

SECTION 8. This act shall be in force and take effect from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives*  
ANDREW L. HARRIS,  
*President of the Senate*

Passed April 13, 1893.  
288L



[House Bill No. 1856.]

## AN ACT

To authorize the board of education of the village of Fredericktown, Knox county, Ohio, to erect and furnish a public school building in the village of Fredericktown and to provide for the payment of the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the village of Fredericktown, of Knox county, Ohio, be and the same is hereby authorized to issue its bonds, not to exceed the sum of fifteen thousand dollars (\$15,000.00), for the purpose of erecting and furnishing a public school building in the village of Fredericktown, Knox county, Ohio.

SECTION 2. That said bonds shall be signed by the president of the board of education and attested by the clerk, who shall keep a record of the same; said bonds shall be in denominations of not less than \$500; the first of which shall mature on September 1, 1894, and the remaining number in such time or times and in such amounts as said board of education may determine; said bonds shall be negotiable and bear interest at a rate not exceeding six (6) per cent. per annum, payable annually or semi-annually as said board of education may deem best; and said bonds may have interest coupons attached thereto; said bonds shall not be sold at less than their par value, and to the highest and best bidder for the same, and the funds arising from the sale thereof shall be used and applied solely to the erection of public school building in said village, and in furnishing of the same.

SECTION 3. That for the purpose of paying said bonds and the interest thereon as the same shall become due, the said board of education is hereby authorized and empowered to levy a tax on all the taxable property of such district, not exceeding five mills on the dollar in any one year, in addition if necessary, to the taxes now authorized by law, which levy shall be placed on the duplicate by the auditor and collected as other taxes.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 22, 1893.  
341L

## LAKE COUNTY.

[House Bill No. 1101.]

## AN ACT

For the relief of W. H. Johnson, treasurer of Mentor special school district in Mentor township, Lake county, Ohio, and the sureties on his official bond.

WHEREAS, On the 21st day of March, A. D. 1892, W. H. Johnson was the treasurer of the Mentor special school district, in Mentor township, Lake county, Ohio; and

WHEREAS, As such treasurer, he then had on deposit in the Painesville savings and loan association, twelve hundred and eleven and  $\frac{88}{100}$  dollars of the funds in his hands as such treasurer; and

WHEREAS, Without fault or negligence on the part of said W. H. Johnson, said funds have been lost by the suspension and failure of said bank association; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the directors of the special Mentor school district in Mentor township, Lake county, Ohio, shall call a special election on the first Monday in March, A. D. 1893, between the hours of 7 and 9 o'clock, p. m. of said day; said election to be held at the usual place of holding elections in said special district, due notice of which shall be given, submit to the qualified electors of said special district, the proposition to relieve and release said W. H. Johnson and the sureties on his official bond as such treasurer, and if said proposition carries by a majority of the electors voting on said proposition at such election, then the said W. H. Johnson and the said sureties on the official bond of the said W. H. Johnson as treasurer aforesaid, shall be then and thereafter wholly relieved and released from the payment to said special school district or to the officers thereof of whatever part of said sum of twelve hundred and eleven and  $\frac{88}{100}$  dollars shall remain due said W. H. Johnson as said treasurer from said savings and loan association, upon the settlement of the affairs of said association and they and each of them shall be relieved and released from all liability for said sum.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed January 26, 1893.

23L.

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[House Bill No. 1193.]

### AN ACT

For the relief of Frank M. Call, treasurer of Mentor township, Lake county, Ohio, and the sureties on his official bond.

WHEREAS, On the 21st day of March, A. D. 1892, said Frank M. Call was the treasurer of the township of Mentor, Lake county, in the state of Ohio, and whereas as such treasurer he then had on deposit in the Painesville savings and loan association three thousand three hundred [and] twenty-two dollars and twenty-three cents of the funds in his hands as such treasurer; and

WHEREAS, Without fault or negligence on his part said funds have been lost by the suspension and failure of said association.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of said township of Mentor, Lake county, Ohio, shall, at the regular election for township officers on the first Monday of April, 1893, due notice of which shall be given by said township trustees, submit to the qualified electors of said township, on a separate ballot prepared as provided by law, the proposition to relieve and release said Frank M. Call and the sureties on his official bond as such treasurer, and if said proposition carries by a majority of the electors voting thereon at such election, then the said Frank M. Call and the said sureties on

his official bond as treasurer aforesaid, shall be then and thereby wholly relieved and released from the payment to said township, or to the officers thereof, of whatever part of said sum of three thousand three hundred [and] twenty-two dollars and twenty-three cents (\$3,322.23) shall remain due said Frank M. Call as such treasurer from said association, and they and each of them shall be forever released from all liability for said sum.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed February 9, 1893.

52L

[House Bill No. 1194.]

### AN ACT

For the relief of O. S. Haskell, treasurer of the village of Mentor, Lake county, Ohio, and the sureties on his official bond.

WHEREAS, On the 21st day of March, A. D. 1892, said O. S. Haskell was the treasurer of the village of Mentor, Lake county, in the state of Ohio; and

WHEREAS, As such treasurer, he then had on deposit in the Painesville savings and loan association four hundred and forty-eight dollars and twenty-eight cents (\$448.28) of the funds in his hands as such treasurer; and

WHEREAS, Without fault or negligence on his part said funds have been lost by the suspension and failure of said association.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Mentor, Lake county, Ohio, shall, at the regular election for village officers on the first Monday of April, 1893, due notice of which shall be given by the mayor of said village, submit to the qualified electors of said village on a separate ballot prepared as provided by law, the proposition to relieve and release said O. S. Haskell, and the sureties on his official bond as such treasurer; and if said proposition carries by a majority of the electors voting thereon at such election, then the said O. S. Haskell, and the said sureties on his official bond as treasurer aforesaid, shall be then and thereby wholly relieved and released from the payment to said village or the officers thereof of whatever part of said sum of four hundred and forty-eight dollars and twenty-eight cents (\$448.28) shall remain due said O. S. Haskell as such treasurer from said association, and they and each of them shall be forever released from all liability for said sum.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed February 9, 1893.

53L

[House Bill No. 1204.]

## AN ACT

For the relief of Henry Butler, treasurer of the village of Fairport, Lake county, Ohio, and the sureties on his official bond.

WHEREAS, On the 21st day of March, A. D. 1892, Henry Butler was the treasurer of the village of Fairport, in the county of Lake and state of Ohio; and

WHEREAS, As such treasurer he then had on deposit in the Painesville savings and loan association three thousand three hundred and two  $\frac{92}{100}$  dollars, the funds in his hands as such treasurer; and

WHEREAS, Without fault or negligence on the part of said Butler said funds have been lost by the failure of said association.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the mayor of said village of Fairport be and he is hereby authorized and empowered to submit to the electors of said village at the April election in the year 1893, the question for the relief of said Henry Butler and his sureties on his official bond, from replacing in the treasury of said village the said sum of \$3,302.92, so lost.

SECTION 2. The form of the ballots in submitting said proposition shall be "For relief—Yes;" "For relief—No." There shall be a separate ballot-box provided for such ballots.

SECTION 3. If a majority of the electors voting in said election shall vote in favor of the relief of said treasurer and his bondsmen, then said treasurer and his bondsmen shall be relieved from all liability to replace said sum of money and released from all liability on said bond.

SECTION 4: This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed February 9, 1893.

54L

[House Bill No. 1205.]

## AN ACT

For the relief of Addison Bates, treasurer of Le Roy township, Lake county, and the sureties on his official bond.

WHEREAS, On the 21st day of March, A. D. 1892, Addison Bates was treasurer of the township of Le Roy, in the county of Lake and state of Ohio, and as such treasurer he had on deposit in the Painesville savings and loan association the sum of one hundred and ten (\$110.00) dollars of the funds in his hands as such treasurer; and

WHEREAS, Without fault or negligence on his part said funds have been lost by the suspension and failure of said bank; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the township board of elections of said Le Roy township shall, at the next regular township election, due notice of which shall be given, submit to the qualified electors of said township the proposition to relieve and release said Addison Bates and the sureties on his official bond as such treasurer, and if said proposition carries by a majorit

of the electors voting on said proposition at such election, then said Addison Bates as treasurer aforesaid and his sureties on the official bond, shall be then and thereafter wholly relieved and released from the payment to said township or the officers thereof of whatever part of said sum of one hundred and ten dollars shall remain due said Addison Bates the said treasurer from said savings and loan association, upon the settlement of the affairs of said association, and they and each of them shall be relieved and released from all liability for said sum.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed February 9, 1893.

55L

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[House Bill No. 1224.]

### AN ACT

To authorize the trustees of Painesville township, Lake county, Ohio, to issue bonds and levy a tax for the improvement of certain roads in said township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Painesville township, Lake county, be and they are hereby authorized to improve and macadamize the road leading from Painesville to Fairport known as the old plank road, also the road leading from Painesville to Richmond in said township.

SECTION 2. To provide for the payment of making said road improvements, the trustees of said Painesville township, be and they are hereby authorized to issue bonds of said township, not to exceed six thousand dollars (\$6,000.00), which bonds shall not be sold for less than their par value, and shall bear interest at a rate not to exceed six per cent. per annum from date of issue, payable semi-annually. The principal of such bonds shall be payable at such times and places as the trustees of said township may determine, within a period not exceeding ten years, and shall be adjusted and sold according to law.

SECTION 3. The trustees of said township of Painesville are hereby authorized to levy a tax, annually, in addition to the taxes now authorized by law, on all the taxable property of said township, including the corporations of Painesville, Fairport and Richmond (according to the terms of an agreement made by and between the said township trustees and the mayors and councilmen of said boroughs), sufficient to pay the principal and interest on said bonds as the same become due.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed February 9, 1893.

58L

[House Bill No. 1323.]

## AN ACT

To amend section one of an act entitled "An act to authorize the commissioners of Lake county, Ohio, to build a pike road through LeRoy and Concord townships in said county."

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section one of an act entitled "An act to authorize the commissioners of Lake county, Ohio, to build a pike road through LeRoy and Concord townships in said county," be amended to read as follows:

Sec. 1. That the commissioners of Lake county be and they are hereby authorized and empowered, after the completion of said pike road, as provided in chapter 8 of the Revised Statutes of Ohio, providing for the building of pike roads under the two-mile assessment law, and for the purpose of assisting in the payment of the bonds and interest thereon, which may be issued for the payment of improving and piking or macadamizing said turnpike road, to collect such toll from the traveling public, except those who would be liable to be assessed for the improving and building said pike road, as in their judgment they may deem best, and the money received from the toll so collected, less the expense of collecting the same, shall be applied by said county commissioners, semi-annually, to the payment of the interest and principal of said bonds. Provided, however, that after the payment of said bonds and interest has been made in full from assessments against the lands and from tolls collected, then and ever after the said pike road shall be free for all public travel.

SECTION 2. That said original section passed April 16th, 1892, is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed February 23, 1893.

79L

[House Bill No. 1414.]

## AN ACT

To authorize the council of the village of Willoughby, Lake county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Willoughby, in Lake county, Ohio, be and it is hereby authorized to transfer the sum of one hundred and forty-two dollars and forty-eight cents (\$142.48) from the cemetery fund to the general fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives*

ANDREW L. HARRIS,

*President of the Senate*

Passed March 14, 1893.

123L

[House Bill No. 1672.]

## AN ACT

To authorize the council of the village of Fairport, Lake county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Fairport, Lake county, Ohio, be and is hereby authorized to transfer the sum of six hundred dollars (\$600) from the fire and water fund to the police fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives,*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 5, 1893,  
241L

[House Bill No. 1777.]

## AN ACT

To amend section one of an act entitled "An act to authorize the commissioners of Lake county, Ohio, to build a pike road through Le Roy and Concord townships in Lake county," as amended February 23rd, 1893.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section one of an act entitled "An act to authorize the commissioners of Lake county, Ohio, to build a pike road through Le Roy and Concord townships in said county," as amended February 23rd, 1893, be amended to read as follows:

Sec. 1. That the commissioners of Lake county be and they are hereby authorized and empowered, after the completion of said pike road, as provided in chapter 8 of the Revised Statutes of Ohio, providing for the building of pike roads under the two-mile assessment law, and for the purpose of assisting in the payment of the bonds and interest thereon, which may be issued for the payment of improving and piking or macadamizing said township road, to collect such toll from the traveling public as in their judgment they may deem best, and the money received from the toll so collected, less the expense of collecting the same, shall be applied by said county commissioners semi-annually to the payment of the interest and principal of said bonds; provided, however, that the toll collected from persons liable to assessment under the provisions of this act shall be applied first, to the payment of their assessment, the balance to the payment of the bonds and interest as they shall become due. And provided, further, that after the payment of said bonds and interest has been made in full from assessments against the lands and from tolls collected, then and ever after, the said pike road shall be free for all public travel.

SECTION 2. That said section one as passed February 23rd, 1893, is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS.  
*President of the Senate.*

Passed April 18, 1893.  
309L

[Senate Bill No. 598.]

### AN ACT

To authorize and empower the council of the incorporated village of Painesville, Lake county, Ohio, to pave and improve a certain avenue and street in said village, and to issue the bonds of said village therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Painesville, Lake county, Ohio, be and it hereby is authorized and empowered to improve and pave all that part of Mentor avenue lying east of Hayes street in said village, and all that part of Main street, in said village lying on the northerly side, of the park in said village and between the eastern terminus of said avenue and west of the east line of said park, or so much of either of said avenue and said street as the said council, by resolution, shall declare and determine to be necessary or convenient for the benefit of said village or its inhabitants.

SECTION 2. That for the purpose of providing for the cost and expense of said improvements mentioned in the first section of this act, and to pay for the same, the council of said village is hereby authorized and empowered to issue the bonds of said village in the sum not exceeding fifty thousand dollars, in denominations of not less than one hundred dollars and not more than one thousand dollars each, bearing interest at a rate not exceeding six per cent. per annum from the date of issue, payable semi-annually; the principal of said bonds to be made payable not to exceed ten years from the date of the issue of the same. The council of said village is hereby authorized and empowered to fix and determine by ordinance the amount of said bonds, the denomination of the same, the rate of interest, and the time when the principal thereof shall be made payable, under and within the limitations hereinbefore defined and prescribed.

SECTION 3. Said bonds shall be signed by the mayor and countersigned by the clerk of said village, and shall not be sold for less than their par value, and for the purpose of paying said bonds and the interest thereon at maturity, the said village council is hereby authorized and empowered to levy a tax upon all the taxable property of said village. The funds realized from the sale of said bonds shall be used by the council of said village for the purposes specified in section one of this act, and for no other purposes whatever.

SECTION 4. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,  
*Speaker pro tem. of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 27, 1893.  
389L



[House Bill No. 1883.]

## AN ACT

To authorize the village of Painesville, Lake county, Ohio, to issue bonds for the purpose of constructing sewers in said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village of Painesville, in the county of Lake, is hereby authorized to issue its bonds in such amounts and at such time or times as the council of said village by ordinance or resolution may determine, not exceeding twenty thousand dollars in addition to the amount of bonds heretofore authorized by law for the purpose of constructing sewers in said village. Said bonds shall be sold at a price not less than their par value, either at public sale to the highest and best bidder, or at private sale, in the judgment and discretion of said village council, as it may be, previously to said sale determined by ordinance or resolution, and upon a vote of two-thirds of all the members elected to said council. Said bonds shall be issued in such denominations as said council may by ordinance or resolution direct, shall be redeemable within twenty years from and after the date when the same are severally issued, in the discretion of said council, and shall bear interest at a rate of not more than six per centum per annum, payable semi-annually.

SECTION 2. That for the purpose of paying the bonds by this act authorized to be issued, and the interest thereon, as the same mature and become due and payable, power and authority is hereby conferred upon said village by and through its said council, to levy a tax each year upon all the taxable property of said village of Painesville, additional to any and all taxes which said municipal corporation is authorized and empowered to levy and collect under and by virtue of existing law; provided, however, that any and all moneys collected by the authority of said village or its council, by means of special assessments upon property abutting on the line of any main or branch sewer, or benefited thereby, which may have been built by funds realized by the sale of bonds authorized by this act, the assessment shall be applied only in payment of the bonds which may be issued under the provisions of this act.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,

*Speaker pro tem. of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 27, 1893.

405L

## LAWRENCE COUNTY.

[House Bill No. 1828.]

## AN ACT

Authorizing certain cities to levy a tax for the support and maintenance of public libraries and reading rooms.

[IRONTON.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any city of the fourth grade of the second

class, which at the last federal census had, or at any succeeding federal census may have, a population of not less than 10,930, and not more than 10,950, may levy a tax on the taxable property of the city of not exceeding two-tenths of a mill, annually, for the support and maintenance of a public library and reading room in such city, which tax may be in excess of the maximum now allowed by law.

SECTION 2. Said tax when levied, shall be certified to the county auditor and collected as other taxes, and the proceeds when collected, shall be paid over by the treasurer of said city to the board of library trustees, consisting of the president of the city council, the president of the board of education, the superintendent of the city schools and four citizens selected by the council.

- SECTION 3. The proceeds of such tax shall be expended by the board of library trustees in the purchase of books, magazines and other proper supplies, in the payment of current expenses including the compensation of the librarian and other employes, and in the support and maintenance of the library and reading room.

SECTION 4. In any such city, it shall be lawful for the board of library trustees referred to in section two hereof, to enter into arrangements for the merger into the library controlled by them, of any other library which may exist in such city, but the library formed by such consolidation shall be kept open for the use of the citizens of such city, under proper regulations to be adopted by the board of library trustees.

SECTION 5. The board of library trustees shall have full charge and control of the public library and reading room, with authority to make rules and regulations, employ a librarian, and other assistants, purchase books, magazines and supplies, and do all other things needful for the support and maintenance thereof, and shall report in writing to the city council at least once a year, and oftner if required by the council.

SECTION 6. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 22, 1893.  
354G

## LICKING COUNTY.

[Senate Bill No. 406.]

### AN ACT

For the relief of A. H. Austin, treasurer of Harrison township, Licking county, Ohio, and the sureties on his official bond.

WHEREAS, On the 24th day of November, A. D. 1892, A. H. Austin was the treasurer of Harrison township, Licking county, Ohio; and

WHEREAS, As such treasurer he then had in his possession, locked up in a safe, eight hundred and seventy dollars belonging to said township, and that on the night of said day some person or persons to him unknown entered his house by force, broke open said safe, stole and carried away said sum of eight hundred and seventy dollars, which said money he has been unable to recover; and

WHEREAS, More than four-fifths of the voters and taxpayers of said township have petitioned the legislature to enact a law relieving said A. H. Austin of said loss; therefore

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That A. H. Austin, treasurer of Harrison township, Licking county, Ohio, and the sureties upon his official bond be and they are hereby relieved and released from the payment to said township of said sum of eight hundred and seventy dollars, stolen from said A. H. Austin as aforesaid.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,  
*Speaker pro tem. of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed February 9, 1893.

48L

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[House Bill No. 1880.]

### AN ACT

To authorize the trustees of Newark township, Licking county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Newark township, Licking county, Ohio, are hereby authorized to transfer (\$1,500.00) fifteen hundred dollars from the bridge fund of said township to the general township fund, and (\$500.00) five hundred dollars from the bridge fund of said township to the road fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 5, 1893.

243L

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### LOGAN COUNTY.

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[House Bill No. 986.]

### AN ACT

To authorize the council of any incorporated village in the state of Ohio which contained at the last federal census, or which at any subsequent federal census may contain a population of not less than one thousand and seventy, and not more than one thousand and eighty, to issue bonds for the purpose of erecting and maintaining an electric light or gas plant.

[DEGRAFF.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any incorporated village in the state of Ohio

which at the last federal census contained, or which at any subsequent federal census may contain a population of not less than one thousand and seventy, nor more than one thousand and eighty, be and the same are hereby authorized to issue the bonds of said village in any sum not exceeding twelve thousand dollars (\$12,000), for the purpose of constructing and maintaining an electric light or gas plant for lighting the streets and alleys and public buildings of said village, and furnishing the same to the citizens thereof at such prices as said council may deem proper.

SECTION 2. Said bonds shall be signed by the mayor and countersigned by the clerk of said village, in such denominations, and redeemable in such times not exceeding twenty years from date as the council may by ordinance prescribe. Said bonds shall bear interest from the date of issue at a rate not to exceed six per centum per annum, payable annually, as council may by ordinance direct; and shall not be sold for less than their par value, and may be sold at such times and in such amounts from time to time as will best subserve and carry out the purpose for which they are issued as said council may determine.

SECTION 3. The powers herein conferred shall in no case be exercised by the council of such village until the question of issuing said bonds shall have been submitted to the qualified voters of such village at a regular or general election, or at a special election called for that purpose, of which at least ten days' notice prior to the day of holding said election shall be given by the clerk of such village in all the newspapers printed and in general circulation in said village, designating the amounts of bonds proposed to be issued and the purpose for which issued. Such election shall be held at the usual place of holding elections, and by the officers authorized by law to preside at elections in such village. Those voting in favor of the issue of such bonds shall have written or printed on their ballots the words "For the issue of electric light (or gas) bonds—Yes;" and those voting against the same the words "For the issue of electric light (or gas) bonds—No." The poll-books and tally-sheets of such election shall be forthwith returned to the clerk of such village, who, with the mayor of such village shall, at any regular or special meeting of the village council, and in the presence of a quorum of such council, proceed to canvass such vote, and the village clerk shall record the number of votes cast for such proposition and the number of votes cast against such proposition in such village; and if two-thirds of all the votes cast at said election shall be in favor of issuing such bonds, then the council of such village shall have authority and proceed to issue said bonds, and not otherwise.

SECTION 4. Said council is hereby authorized, if a majority thereof deem it necessary, to levy a tax sufficient to pay said bonds and the interest which may accrue thereon as they become due, in addition to that now authorized by law on all the taxable property of said village.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives*  
ANDREW L. HARRIS,  
*President of the Senate*

Passed January 19, 1893.

[House Bill No. 68.]

## AN ACT

To provide for the payment of certain damages resulting from carelessness in working the roads in Liberty township, Logan county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Liberty township, Logan county, Ohio, be and the same are hereby authorized to pay to Wm. Newell, of the aforementioned township, damages not to exceed one hundred and twenty dollars, for a horse killed by the carelessness of laborers engaged upon the public roads.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed February 9, 1893.

46L

[House Bill No. 1390.]

## AN ACT

To authorize the council of the incorporated village of West Liberty, Logan county, Ohio, to issue bonds for the purpose of purchasing a site and the necessary appliances for an electric light plant for lighting said incorporation.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of West Liberty, Logan county, Ohio, be and is hereby authorized and empowered to borrow not to exceed ten thousand dollars (\$10,000.00), for the purpose of purchasing a site and the necessary appliances for an electric light plant for lighting said incorporation.

SECTION 2. That for the purpose of meeting the expenses aforesaid, the said council of the incorporated village of West Liberty, Logan county, Ohio, is authorized to issue bonds to be signed by the mayor, and attested by the clerk of said village, in denominations of not less than five hundred dollars (\$500.00) and not more than one thousand dollars (\$1,000.00), bearing interest at a rate not to exceed six per cent. per annum, payable annually; said bonds to be payable at such time or times not exceeding twenty-five years from their respective dates thereof, as said council may determine; said bonds shall not be sold for less than their par value, and to be sold without compensation or commission, and said bonds may, in the discretion of said council, have interest coupons attached, and said bonds and interest shall be payable at the village of West Liberty, Ohio.

SECTION 3. That for the purpose of paying said bonds and the interest thereon as the same shall become due, the said council is hereby authorized and empowered to levy on all the taxable property of said village of West Liberty, Logan county, Ohio, a tax for such an amount annually, not exceeding three mills above the maximum authorized by the general laws, which levy shall be placed on the duplicate by the

auditor of said county, collected as other taxes, and when collected paid over to the treasurer of said village.

SECTION 4. Before such bonds or any part thereof shall be issued, the question of issuing the same shall be submitted to a vote of the electors of said village at any general election held therein, or at a special election to be called by the council of said village for that purpose. The tickets to be voted at such election shall have written or printed thereon the words "Electric light bonds—Yes;" or "Electric light bonds—No." And if the proposition to issue such bonds shall be approved by three-fifths of all the votes cast at such election upon said proposition, said village shall have authority to issue said bonds for the purpose aforesaid.

SECTION 5. The present existing laws now in force relating to and prescribing the manner and form of holding general elections, shall not apply to the holding of the election provided for by this act, but said election may be held in such manner and form, and under such rules as the council of said village of West Liberty may prescribe. Provided, the council of said village or a majority of them shall, at least ten days prior to holding such election, cause public notice of the submission of said question to be published in a newspaper published and of general circulation in said village.

SECTION 6. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 27, 1893.  
208L

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[House Bill No. 1522.]

### AN ACT

To authorize Bokes Creek township, Logan county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Bokes Creek township, Logan county, Ohio, be and are hereby authorized to transfer eight hundred dollars (\$800.00) from the ditch fund to the township cemetery fund of said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,  
*Speaker pro tem. of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed March 30, 1893.  
222L

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[House Bill No. 909.]

### AN ACT

To authorize the council of the village of Elyria to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Elyria, in Lorain county,

and it is hereby authorized to make the following transfers of money from one fund in its treasury to another in its treasury, viz.: To the fire and water fund fifteen hundred dollars from the sewer fund; and to the street light fund, five hundred dollars from the sewer fund, two hundred dollars from the police fund and five hundred and fifty dollars from the general fund; from the general fund to the Washington avenue improvement fund, forty-eight dollars.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed January 11, 1893.

1L

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[House Bill No. 1006.]

### AN ACT

To authorize the township trustees of Pittsfield township, Lorain county, Ohio, to levy additional tax for the erection of a soldiers' monument.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Pittsfield township, Lorain county, Ohio, are hereby authorized and empowered to levy an additional tax to that already authorized by law, for the purpose of the erection of a soldiers' monument. Such additional tax shall not exceed the sum of two thousand dollars (\$2,000).

SECTION 2. Said additional levy shall be made in two equal annual instalments and shall be made and collected in the same manner as taxes for township purposes are made and collected.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed January 26, 1893.

20L

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[House Bill No. 1513.]

### AN ACT

To authorize the village of Elyria, in Lorain county, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village of Elyria in Lorain county, be and the same is hereby authorized to make the following transfers of funds in its treasury, viz.: From the general interest and sinking fund to the Broad street improvement fund of 1892 the sum of seven hundred and forty-three dollars and 41 cents (743.41); from the general interest and sinking fund to the

Grace, Court and Second street improvement fund the sum of seventeen hundred and seventy-three dollars and eight cents (\$1,773.08).

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed March 15, 1893.  
135L

[House Bill No. 962.]

### AN ACT

To authorize the township trustees of any township which at the last federal census had or at any subsequent federal census may have a population not to exceed 925 and not less than 915, to levy additional tax for the purpose of building and furnishing a town hall.

[COLUMBIA TOWNSHIP.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township trustees of any township which at the last federal census had, or at any subsequent federal census may have, a population not to exceed nine hundred and twenty-five and not less than nine hundred and fifteen, are hereby authorized and empowered to levy a tax not to exceed three mills on the dollar on all the taxable property in the township in excess of that now authorized by law, for eight successive years, for the purpose of building and furnishing a town hall for the use of said township. The trustees, in anticipation of the collection of taxes, are hereby authorized to borrow money at a rate not to exceed six per cent. interest, payable annually, for the whole or any part of the amount required.

SECTION 2. No money shall be borrowed nor tax levied for the purpose of building and furnishing of said town hall until the trustees of said township shall have submitted the question to the voters of said township at the April election, of which notice shall be given by advertisement in two newspapers of general circulation in said township and by written notice posted in three conspicuous places. At said election the voters desiring to vote in favor of levying said tax shall have written or printed on their ballots "Authority to levy town hall tax—Yes." All voters desiring to vote against the levying of said tax shall have written or printed on their ballots "Authority to levy town hall tax—No." If a majority of the votes cast at said election shall be in favor of levying said tax then the trustees shall be empowered to borrow money and levy the tax provided for in this act.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives*  
ANDREW L. HARRIS,  
*President of the Senate*

Passed March 1, 1893.  
80G



## LUCAS COUNTY.

[House Bill No. 1392.]

## AN ACT

To erect the township of Jerusalem, in the county of Lucas.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Ohio,* That the township of Oregon, in the county of Lucas, and state of Ohio, be divided as follows:

**SECTION 2.** All that part of said township lying west of a line running north and south, and commencing on the county line, between the counties of Ottawa and Lucas, eighty rods west of the southeast corner of section seventeen (17), town ten (10), south of range nine (9), east; and running thence north through the center of the east half of sections seventeen (17), eight (8) and five (5), town and range as before described; and through the center of the east half of sections thirty-two (32), twenty-nine (29) and twenty (20), town nine (9), south of range nine (9), east, shall be known as Oregon. All that part of said township lying east of said line shall be known as Jerusalem. Provided, that so much of the election precincts as remain in Oregon shall be and remain the same as they now are and all territory in said township of Jerusalem shall be one precinct.

**SECTION 3.** The trustees of said township of Oregon shall cause the necessary notices for an election for township officers in said township of Jerusalem to be held on the first Monday in April, 1893, to be published according to law, also to provide a suitable place for the holding of an election.

**SECTION 4.** When the officers of said township of Jerusalem have been elected and qualified, and the township officers and the board of education become fully organized, the trustees and board of education of said township of Oregon shall pay over to the treasurer of the township and board of education of said township of Jerusalem their pro rata share, according to valuation, of all moneys then or that may thereafter come into the treasury of said township of Oregon, that the property in said township of Jerusalem has paid a share of; provided, that the officers and board of education of said township of Oregon shall continue to discharge their duty as such officers, until said township of Jerusalem has been fully organized.

**SECTION 5.** This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,

*Speaker pro tem. of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed March 9, 1893.

111L

[House Bill No. 1451.]

## AN ACT

To provide for a board of park commissioners in cities of the third grade of the first class, and to define its powers and duties; and to repeal an act entitled "An act to provide for a board of park commissioners for the city of Toledo, and defining its powers and duties," passed May 17, 1886.

[TOLEDO.]

**SECTION 1.** *Be it enacted by the General Assembly of the State of Ohio,* That in cities of the third grade of the first class there shall be a

board of park commissioners, consisting of five members, one of whom shall be the mayor of the city, who shall, ex-officio, be a member of said board; and four members thereof who shall be appointed by the mayor of the city; one member to serve for the term of one year, one for the term of two years, one for the term of three years, and one for the term of four years; and the successors of the four members thus appointed to be appointed from year to year for the full term of four years, except that in case of vacancy arising from any cause before the expiration of the term of any appointed member, such vacancy shall be filled by appointment for the unexpired part of such term; provided, that the said board shall serve without compensation.

SECTION 2. Each member of such board shall, before entering upon the discharge of the duties of said office, take and subscribe an oath before some officer authorized by law to administer oaths, that he will honestly and faithfully discharge the duties of said office; and each member of said board shall give a bond with at least two sureties, in the sum of twenty thousand dollars, to be approved by the city auditor and city solicitor of said city, conditioned for the faithful performance of his duties as a member of such board.

SECTION 3. Said board shall hold meetings as often as once a month, and adopt all necessary rules for the regulation of its business; it may elect a secretary or clerk, and make allowances for his compensation, which shall not exceed five hundred dollars per annum; it shall keep a complete record of all its proceedings, which record or a copy thereof duly certified by the secretary or clerk, shall be competent evidence of the transactions of said board in all the courts of this state; the ayes and nays shall be called upon the passage of every resolution or order, and entered upon the journals; three members of the board shall constitute a quorum for the transaction of all business, but no resolution or order shall be adopted unless three members shall vote in its favor, and said board shall be governed by the provisions of section 2510 of the Revised Statutes of the State of Ohio.

SECTION 4. Such board shall have control of all parks and public grounds belonging to such cities, or which may be acquired for such purpose, and of all streams within and flowing through any park controlled by such board, and of the improvement of the same; and of all moneys, derived from levies made for park purposes, and all moneys from the general fund appropriated by the council for such purposes, and the proceeds of all bonds issued or sold for park purposes, which moneys shall be placed in a special fund called the "park fund," and shall be disbursed by the treasurer of such city upon warrant by the auditor, which shall be drawn in accordance with the order of the board.

SECTION 5. The said board shall have power by resolution, to adopt a plan or system of public parks for such city, designating by accurate description the lands necessary or required therefor, together with such public avenues, boulevards, driveways or highways connecting or leading to or from the same as a part of said plan or system, together with as accurate an estimate of the cost thereof, as may be, and the issue of bond required to meet the same, the rate of interest and the time of payment. Said board shall make or cause to be made accurate plats showing said plan or system of parks, and keep the same on file at its office for public inspection, which said plan or system may, from time to time be changed or amended, as may be deemed necessary or advisable. Said board shall

**adopt** rules for the care, protection and government of the said parks, grounds, streams and premises under its charge, and such rules, when approved by the common council, shall have the same effect and may be enforced by the same penalties as ordinances of the city.

**SECTION 6.** After such plan or system has been adopted as provided in the last section preceding, the board shall proceed by purchase, whenever the same can be done on terms satisfactory to the board, to acquire the title to the lands aforesaid, in the name of the city, and whenever the board cannot obtain the title to such lands by purchase as aforesaid, the said board shall report to the common council of said city, a description of the lands purchased by said board, if any, and also an accurate description of the land required or necessary to the plan or system aforesaid, which it has been unable to acquire by purchase, and the said council may, by resolution, declare that it is the intent and purpose of the city to appropriate the said lands for the purposes aforesaid, as provided in section 2235 of the Revised Statutes; whereupon it shall be the duty of the city solicitor to institute proceedings in the name of the city to acquire the said land, which proceedings shall be conducted and governed by and in accordance with the provisions title 12, div. 7, chapter 3, of the Revised Statutes of the state of Ohio.

**SECTION 7.** For the purpose of providing means for paying for the lands aforesaid, and the improvement thereof in carrying out the plan or system aforesaid, the bonds of the city shall be issued, payable at such time as shall have been determined as hereinbefore provided, not exceeding fifty years, with interest not exceeding four per cent. per annum, payable semi-annually, which bonds shall be signed by the president of said board, the mayor and the clerk of said city, and shall be sold at not less than par, in the manner provided by law, except that the said board in the purchase of the lands which may have been designated as aforesaid, may contract or pay for the same at the agreed price in so much of said bonds at par as equal the purchase price, or any part thereof, if the owners are willing to accept the same as such payment in whole or in part, for such lands; but the aggregate amount of bonds to be issued and indebtedness incurred under this act, and for the purpose of acquiring the property and making the improvements herein contemplated, shall not exceed the sum of five hundred thousand dollars, of which at least one hundred thousand dollars shall be used for said improvements; and all bonds heretofore or hereafter issued by any such city for park purposes, which conform to the requirements and restrictions herein set forth, shall be valid and binding obligations of the city issuing the same to an amount not exceeding in the total the said sum of five hundred thousand dollars and the interest thereon.

**SECTION 8.** For the purpose of paying the interest and principal of the bonds aforesaid, as the same shall become due, whether heretofore or hereafter issued, the common council of said city shall levy annually upon all the taxable property, real and personal, in said city, a sum sufficient to pay the same in addition to all other taxes authorized by law.

**SECTION 9.** The board may appoint or employ such superintendents and such employes as it may deem necessary for the execution of its duties, and fix their salaries or compensation; and any of such persons may be removed by the board at any time.

**SECTION 10.** Where any such city at the time of the passage of this act has a board of park commissioners the same shall have all the au-

thority herein conferred upon boards of park commissioners for such cities, and the mayor thereof shall make no appointment under the provision hereof except as vacancies occur in such board by reason of the expiration of the term, resignation, death, or removal of the members of such board.

SECTION 11. That said act, entitled, "An act to provide for a board of park commissioners for the city of Toledo, and defining its powers and duties," be and the same is hereby repealed and this act shall take effect on its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ELBERT L. LAMPSON,

*Président pro tem. of the Senate.*

Passed March 15, 1893.

136G

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[House Bill No. 1450.]

### AN ACT

To authorize the board of commissioners of any county containing a city of the third grade of the first class, to issue and sell bonds in an amount not exceeding \$500,000, and to erect, equip and furnish a new court-house.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of commissioners of any county containing a city of the third grade of the first class, be and they are hereby authorized to issue and sell bonds of said county, to be known and designated as "court-house bonds," in a sum not exceeding five hundred thousand dollars (\$500,000), and in denominations of not less than \$100 or more than \$1,000, to bear interest at a rate not to exceed 4 per cent. (4%) per annum, payable semi-annually, as said board of commissioners may determine, in the manner prescribed by law; which bonds shall be payable within fifty years from the date of their issue and redeemable thirty years from date thereof at the option of the commissioners of such county; and to expend said sum, or such part thereof, as shall by them be deemed necessary, in erecting, equipping and furnishing a new court-house for such county, upon the terms and conditions, and subject to all the limitations and restrictions hereinafter stated, and to the general laws of Ohio regulating the erection of court-houses within the state by county commissioners, which do not conflict or are at variance with the provisions of this act.

SECTION 2. Before said commissioners shall issue said bonds, or any portion thereof, or enter into any agreement or contract looking to the issuing or selling any or all of said bonds, or building said court-house, they shall first submit to the voters of such county, at a general election or special election held for such purpose, of which at least 10 days' notice has been given by proclamation by the sheriff of such county, upon instructions issued by and upon the authority of said commissioners, the question of issuing said bonds for court-house purposes, which notice or proclamation shall be published in at least two newspapers published in the English language, of different politics, and also in one newspaper published in the German language, if such there be, and one newspaper

published in the Polish language if such there be, in such county, and which election shall be held and conducted in all respects as are other elections in Ohio. At said election all voters desiring to vote in favor of issuing said bonds shall have written or printed on their ballots the words "Issue and sale of bonds for court-house purposes—Yes," and all voters desiring to vote against issuing said bonds shall have written or printed on their ballots the words "Issue and sale of bonds for court-house purposes—No;" and no bonds shall be issued under this act unless the majority of the votes cast in favor of and against such issue shall be in favor of such issue; and in case such election shall result in favor of the issue of such bonds, the plans and specifications for such court-house and necessary equipments and furnishings shall be approved, and the contract therefor shall be let according to law.

SECTION 3. Said bonds shall be signed by said commissioners and countersigned by the auditor of such county and shall be sold for not less than par, and accrued interest, and in the manner provided by law.

SECTION 4. For the purpose of paying the interest and the principal of the bonds above specified, the commissioners of such county shall, annually, at their June session, levy upon all the taxable property, real and personal in such county, in addition to all other taxes now authorized to be levied by law, a sum sufficient to pay the interest on said indebtedness and the bonds, as called for redemption, by the board of commissioners after thirty years from the date of the same. Said levy shall not exceed one mill on every dollar of the taxable property of such county. Should said board of commissioners neglect or refuse to levy such taxes regularly and at the times herein provided, the county auditor shall levy and place such tax upon said taxable property of such county and place the same upon the tax duplicates, to be collected by the treasurer of such county; and all taxes levied and collected under this act shall be applied only to the payment of the obligations for which such taxes were levied and shall be diverted to no other use.

SECTION 5. The probate judge of such county shall appoint, subject to the approval of a majority of the judges of the court of common pleas resident in such county, some one person who is a resident freeholder of such county to act with said board of commissioners of such county in the letting of any and all contracts for the whole or any part of said work or material used in constructing, equipping or furnishing said court-house, in an advisory capacity, on any question, and shall be notified of and have the right to sit with said commissioners at all meetings of said board when any matter is to be considered or acted upon by said commissioners in any way connected with the erection, equipping or furnishing of said court-house, to enter into all discussions relating to any part of the same, and to have free access at all reasonable times to all books, papers, contracts or memorandums pertaining thereto as freely and fully as said commissioners. He shall also examine the work upon said court-house from time to time as it progresses, and with sufficient frequency to be fully advised as to the class of work being done thereon, and shall call the attention of the said commissioners, and of the superintendent, and of the architect, of said building, to any defect in material or workmanship which he may observe, and to any act which he deems wrong or unjust to such county, and he shall receive as compensation for such labor the sum of fifty dollars (\$50.00) per month, to be paid from the general fund of such county,

upon the certificate of said probate judge certifying the amount to be due for services rendered, drawn upon the auditor of such county to be paid by the treasurer of such county, and said compensation to continue during the faithful performance of his duties until said building is completed and accepted by the commissioners of such county.

SECTION 6. There shall be a superintendent appointed by the probate judge of such county, who shall give a bond conditioned according to law in the sum of ten thousand dollars for the faithful performance of his duties under said appointment, and shall devote his whole time and attention to the superintending, the erection, equipment and furnishing said court-house, and to seeing that all specifications and terms of contract as to materials, workmanship, and in every other respect, are fully kept and performed and that the county is fully protected against all losses which might arise from negligence or dishonesty of contractors or their employes; and he shall receive as compensation for such services the sum of two thousand five hundred dollars per annum to be paid him in equal monthly instalments by orders from the probate judge of such county on the auditor thereof to be paid by the treasurer of such county.

SECTION 7. The architect of such building and appurtenances, who may be employed by said county commissioners, shall give to said commissioners a bond to their approval and conditioned according to law, in a sum not less than (\$50,000.00) fifty thousand dollars for the honest and faithful discharge of his duties as such architect, and that he will prevent all changes and alterations in the plans and specifications that will add to or reduce the cost or expense of erecting, equipping and furnishing said building, or surroundings, over or under the original contract price, or otherwise permit any said changes or alterations, without the written consent and agreement as to the increased or reduced expense or otherwise for such or any change or alteration, being first given thereto by written agreement duly signed by the committee or commission, provided by law to approve said plans and specifications; and said architect and the superintendent of construction provided for in section 6 hereof, shall at least once in each thirty days, or oftener if requested by the county commissioners, report in writing to the county commissioners of such county, the progress of such work after the construction of said building is actually begun and while in progress, and as to whether said work is being done as expeditiously as is proper and reasonable and in all respects according to the plans, specifications and agreements for said materials and workmanship; and said commissioners shall examine said reports at each time made, and by resolution spread upon their journal accept such reports, if proper, and order the same filed with the county auditor of such county, to be kept for the inspection of any and all persons desiring to examine the same, as shall also be the journal of said commissioners.

SECTION 8. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed March 14, 1893.

135C

[House Bill No. 1601.]

## AN ACT

To amend section five (5) of an act entitled "An act to authorize the board of commissioners of any county containing a city of the third grade of the first class, to issue and sell bonds in an amount not exceeding five hundred thousand dollars (\$500,000.00), and to erect, equip and furnish a new court-house," passed March 14, 1893, and to supplement section one (1) of said act.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section five (5) of said above entitled act be amended and section one (1) of said act be supplemented, as follows:

Sec. 5. That the probate judge of such county shall appoint two citizens, both of whom shall not belong to the same political party, and who are resident freeholders of such county, to act with said board of commissioners of such county, as part of the committee or commission to approve plans and specifications, in the sale of the bonds provided for in said act and in section 1a hereof, and in the letting of any and all contracts for the whole or any part of said work or material used in constructing, equipping and furnishing said court-house, and shall be notified of and have the right to sit and act and vote with said commissioners at all meetings of said board when any matter is to be considered or acted upon by said commissioners in any way connected with the sale of bonds for and the erection, equipping and furnishing of said court house, to enter into all discussions relating to any part of the same, and to have free access at all times to all books, papers, contracts or memorandums pertaining thereto as freely and fully as said commissioners. They shall also examine the work upon said court-house from time to time as it progresses, and with sufficient frequency to be fully advised as to the class of work being done thereon, and shall call the attention of each of said commissioners, and of the superintendent, and of the architect of said building, and of the prosecuting attorney of such county, to any defect in material or workmanship which they, or either of them, may observe, and to any act which they, or either of them, deem wrong or unjust to such county; and they shall each receive as compensation for such labor and service the sum of fifty dollars (\$50.00) per month, to be paid from the general fund of such county, upon the certificate of said probate judge, certifying the amount to be due for services rendered, drawn upon the auditor of such county, to be paid by the treasurer of such county, and said compensation to continue during the faithful performance of their duties until said building is completed, equipped, furnished and accepted by the commissioners of such county; it being the intention hereof that in all matters pertaining to the approval of the original plans and specifications for said court-house, and any change or alteration therein, and in any and all matters affecting or connected with the sale of bonds, acceptance of bids, approving of plans, estimates and contracts, or otherwise, except the signing of any bonds issued, said two citizens shall each have the same authority as any one of said county commissioners; and in all places, in said act, and in this act, where the word "commissioners" is used, the same shall be held to include the two citizens above specified with the county commissioners, except in the signing of bonds, as aforesaid, and as to any action prior to the election on the question of issuing said bonds; said two citizens shall, before entering upon the discharge of their duties as herein provided, each give a

good and sufficient bond, conditioned according to law, and to the acceptance of said prosecuting attorney in the same sum and take a similar oath required of county commissioners, for the faithful discharge of said duties. In case either of said two citizens, or the superintendent provided for in section 6 of said act, shall fail to perform his duties by reason of death, resignation or otherwise, the vacancy so created shall be filled by appointment by said probate court; and said superintendent, and the architect provided for in section 7 of said act, in addition to the reports in writing required in said section 7 shall, at the same time, or oftener if so required by the prosecuting attorney of such county, make similar reports to him, and each of them shall, without delay, report to him in writing any departure from the plans and specifications which they may discover or which may come to their knowledge, and upon the failure, if such there be, of said commissioners to have the wrong at once corrected, said prosecuting attorney shall take such action as may be necessary to fully protect the interests of the people of such county.

Sec. 1a. That all of said bonds provided for in said section 1 shall not be issued and sold at any one time, but at such times and in such amounts as shall, in the judgment of said commissioners be necessary as the work progresses and the interest of the taxpayers may require; and of said five hundred thousand dollars (\$500,000.00) not more than four hundred and twenty-five thousand dollars (\$425,000.00) shall be expended in the erection and completion of said court-house, including sewerage, water and gas piping, electric wiring, vaults, ventilation and heating apparatus, but not including other equipment or furnishing; and all plans and specifications, estimates, bids and contracts shall be made, considered and entered into on such basis as will insure the erection, equipment and furnishing of said court-house at a total cost, not exceeding said sum of five hundred thousand dollars (\$500,000.00).

SECTION 2. That said section five (5) of said act, passed March 14, 1898, be and the same is hereby repealed; and this act shall take effect on its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed March 23, 1898.

178G

[House Bill No. 1602.]

## AN ACT

To divide the corporate territory of the city of Toledo into wards.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the corporate territory of the city of Toledo is hereby divided into nine wards, designated and described as follows:

The first ward shall consist of that part of the city bounded as follows: Beginning at the intersection of Lagrange street with the thread of the channel of the Maumee river, thence northwesterly along the center of Lagrange street to the center of the channel of Ottawa river, or Ten-mile creek (so called), thence down the center of said creek to the line dividing sections thirteen (13) and twenty-four (24), town nine south of



range seven, east, thence due east on the lines dividing said sections thirteen (13) and twenty-four (24), and sections eighteen (18) and nineteen (19), town nine south of range eight (8) east, with said lines extended due east to the middle of the channel in the mouth of the Maumee river, thence southwesterly along the channel of said Maumee river to the place of beginning.

The second ward shall consist of that part of the city bounded as follows: Beginning at the intersection of Lagrange street with the thread of the channel of the Maumee river, and running northwesterly along the center of Lagrange street to the center of Woodruff avenue, thence southwesterly and west along the center of Woodruff avenue to the center of Union street, thence south along the center line of Union street to the center of Oak street, thence along the center line of Oak street and the same line extended to the thread of the main channel of the Maumee river, and thence northeasterly along the thread of the channel of the river to the place of beginning.

The third ward shall consist of that part of the city bounded as follows: Beginning where the center line of Oak street extended would intersect the thread of the main channel of the Maumee river, thence southwesterly along said thread of the channel to its intersection with Monroe street, thence northwesterly along the center line of Monroe street to the center of Erie street, thence southwesterly along the center line of Erie street to the center of Washington street, thence northwesterly along the center line of Washington street to the center of Seventeenth street, thence northeasterly along the center line of Seventeenth street to the center of Franklin avenue, thence north along the center line of Franklin avenue to the center of Woodruff avenue, thence east along the center line of Woodruff avenue to the center of Union street, and thence south along the center line of Union street to the center line of Oak street, thence southeasterly along the center line of Oak street and Oak street extended, to the place of beginning.

The fourth ward shall consist of all that part of the city bounded as follows: Beginning at the intersection of the thread of the channel of the Maumee river and Monroe street and running northwesterly along the center line of Monroe street to the center of Erie street, thence southwesterly along the center line of Erie street to the center of Washington street, thence northwesterly along the center line of Washington street to the center of Illinois street, thence west along the center line of Illinois street and said line extended to the center line of Lenk street, thence south along the center line of Lenk street to the center of the channel of Swan creek, and thence along the channel of Swan creek and the Maumee river to the place of beginning.

The fifth ward shall consist of that part of the city bounded as follows: Beginning at the intersection of the channel of Swan creek and the channel of the Maumee river, thence southwesterly up the channel of the Maumee river to a point where it intersects the center line of Western avenue extended, thence along the center line of Western avenue extended and along the center line of Western avenue to center line of Wayne street, thence southwest along the center line of Wayne street to the dividing line between sections nine and ten, town three, twelve-miles square reserve; thence northerly along said section line between said sections nine and ten to a point where the same crosses Railroad avenue, thence northerly along said Railroad avenue to the center of Wayne street, and along the center of Wayne street to the intersection of Junction

avenue extended south, thence south on the line of said Junction avenue extended to the channel of Swan creek, thence easterly along the middle of the channel of Swan creek to the place of beginning.

The sixth ward shall consist of that part of the city bounded as follows: Beginning in the middle of the channel in the mouth of the Maumee river, at a point due east of the south line of section eighteen, town nine, south of range eight, east, thence across the said Maumee river to the center of the mouth of Duck creek, thence southerly up the center of the channel of said creek to a line running north and south through the center of sections number twenty-eight and thirty-three, town nine, south of range eight, east, thence south on said center line to the center of said section number thirty-three of said town and range, thence southwesterly through the center of section number five, town ten, south of range eight, east, to the southwest corner of said section, thence due south on the line dividing sections seven and eight and sections seventeen and eighteen, same town and range, to the Wood county line, thence westerly on the line between Wood and Lucas counties to the center of the main channel of the Maumee river, thence northeasterly down said channel to the place of beginning.

The seventh ward shall consist of that part of the city bounded as follows: Beginning at the intersection of Lagrange street and Woodruff avenue, thence southwesterly and west along the center of Woodruff avenue to the center of Franklin avenue, thence south along the center of Franklin avenue to the center line of Seventeenth street, thence southwesterly along the center line of Seventeenth street to the center line of Monroe street, thence northerly along the center line of Monroe street to the corporation line of the city of Toledo, thence north on said corporation line to the center of Central avenue, at the southwest corner of Woodlawn cemetery, thence east on the center line of Central avenue to the center of Ottawa river and along the center of Ottawa river to the center line of Lagrange street, thence southeasterly along the center line of Lagrange street to the place of beginning.

The eighth ward shall consist of that part of the city bounded as follows: Beginning at the junction of Washington street and Illinois street, running thence in the center of Illinois street and the center line of Illinois street extended to Lenk street, thence south on the center line of Lenk street to the middle of the channel of Swan creek, thence westerly along the middle of the channel of Swan creek to the center line of Junction avenue, extended south, thence north on said center line of Junction avenue, extended, to the track of the Toledo and Chicago Air Line division of the Lake Shore and Michigan Southern railroad, thence westerly along the track of said Toledo and Chicago Air Line division to the line between sections nine and ten, town three, twelve-mile square reserve, thence north on the line between sections nine and ten to the center of Hill avenue, thence west on the center line of Hill avenue to its intersection with the center line of Mott street, being in the westerly corporation line of the city of Toledo, thence north on said corporation line to a point where the same turns by a right angle upon the center line of Oakwood avenue, thence east on the center line of Oakwood avenue, being a part of said corporation line, to the center line of Clinton street, where said corporation line turns to the north by a right angle, thence north on said corporation line to the center line of Monroe street, thence southeasterly on the center line of Monroe street to the center line of Seventeenth

street, thence southwesterly along the center line of Seventeenth street to the center line of Washington street, thence southeasterly along the center line of Washington street to the place of beginning.

The ninth ward shall consist of that part of the city bounded as follows: Beginning at the intersection of the center line of Western avenue, extended, and the channel of the Maumee river, thence southwesterly up the channel of the Maumee river to a point where it intersects the shore channel of the said Maumee river above and southwesterly of the two islands known as Long and Delaware islands, thence down the shore channel of said river and between said Long island and Delaware island and the main shore to a point due south of the dividing line between section sixteen and river tract thirteen, town three, in twelve-mile square reserve, thence north on the dividing line between section sixteen and river tract thirteen extended to the intersection with said line of the south line of said section sixteen, thence west on said south line of section sixteen to the westerly corporation line of said city of Toledo, thence north and northwesterly along said corporation line to the center line of Hill avenue, being at a point where said corporation line turns to the east, thence east along the center line of Hill avenue upon said corporation line and along said portion of said corporation line extended to a point where the same intersects the line between sections nine and ten, town three, twelve-mile square reserve, thence south upon said line between sections nine and ten, town three, twelve-mile square reserve, to a point where the center line of Wayne street intersects the same, thence northeasterly along the center line of Wayne street to the center line of Western avenue, thence easterly along the center line of Western avenue and Western avenue extended to the place of beginning.

SECTION 2. The division into wards herein provided for shall continue until changed by ordinance of the common council of said city of Toledo or by act of the general assembly.

SECTION 3. This act shall take effect upon its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 23, 1893.  
188L

[House Bill No. 1559.]

## AN ACT

To authorize the board of education of Waynesfield school district number 1, in Lucas county, to issue and sell three thousand five hundred dollars (\$3,500.00) of bonds and use the proceeds in building and furnishing a new school-house.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of Waynesfield school district No. 1, in Lucas county, Ohio, be and the same is hereby authorized to issue and sell the bonds of said district for a sum not exceeding three thousand five hundred dollars (\$3,500.00), and use the proceeds thereof in building, equipping and furnishing a new school-house in said district, and for no other purpose.

SECTION 2. Said bonds shall be of such denominations and to run for such time or times not exceeding seven years, and bear such rate of interest not exceeding six per cent. (6%), payable annually or semi-annually, as said board of education may by resolution determine. Said bonds shall be issued and sold according to law and for not less than their par value with accrued interest, and shall be signed by the president and clerk of said board.

SECTION 3. Said board of education shall levy annually a tax in addition, if necessary, to other taxes now authorized by law, sufficient for the purpose of paying the principal and interest of said bonds as the same shall become due and payable according to the terms thereof, and which shall not be less in any one year than five hundred dollars.

SECTION 4. That this act shall take effect on its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 23, 1893.  
195L

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[House Bill No. 1558.]

### AN ACT

Authorizing the council of the village of Sylvania, county of Lucas, to transfer from the general fund to a special sidewalk fund the sum of four hundred fifty dollars (\$450.00).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Sylvania, county of Lucas, be and the same is hereby authorized to transfer from the general fund of said village to a special sidewalk fund, the sum of four hundred fifty dollars (\$450.00); and from said special fund construct and keep in repair a sidewalk with suitable railings, in Ohio avenue in said village, from Ottawa street south, across what is known as Ten-mile creek flats, but for no other purpose.

SECTION 2. That this act shall take effect on its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 23, 1893.  
196L

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[House Bill No. 1668.]

### AN ACT

To authorize the city of Toledo by its mayor and clerk to convey certain lands known as "The Retreat, a home for friendless girls," in the city of Toledo.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the mayor and clerk of the city of Toledo, be and they are

hereby authorized to make and execute a deed and conveyance in fee simple to "The Retreat, a home for friendless girls," in the city of Toledo, of lands heretofore conveyed to said corporation by said city by deed dated the twenty-eighth (28) day of February, A. D. eighteen hundred and eighty-five (1885), and recorded March 21st, 1885, in volume 129 of deeds for Lucas county, page 522.

SECTION 2. That this act shall take effect on its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 5, 1893.  
240L

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[House Bill No. 1681.]

### AN ACT

For the relief of F. R. Warren, F. O. Peake, N. S. Cooper, J. W. Jerome and Wm. Acres.

WHEREAS, F. R. Warren, F. O. Peake, N. S. Cooper, J. W. Jerome and Wm. Acres, of Sylvania township, Lucas county, Ohio, became sureties on certain bonds given by Alonzo W. Bellows, treasurer of Sylvania township, as required by law, thereby securing said township from any loss of money by any wilful or negligent act on the part of said treasurer; and,

WHEREAS, The said Alonzo W. Bellows, treasurer of said Sylvania township, did on the first day of September, 1891, absent himself from said township, taking with him the funds belonging to said Sylvania township, thereby compelling the said bondsmen to replace said funds in the township treasury; and,

WHEREAS, It is desired that the voters of said township may have an opportunity to vote on a proposition for the relief of said above named bondsmen; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of said Sylvania township, Lucas county, Ohio, be and are hereby authorized and empowered to submit to the electors of said township, at any regular election hereafter held, the question of the relief of said F. R. Warren, F. O. Peake, N. S. Cooper, J. W. Jerome and Wm. Acres from replacing the funds in the treasury of said township by reason of their being sureties on said treasurer's bonds.

SECTION 2. That said proposition shall be submitted in the form following: And the form of the ballots shall be "For relief—Yes;" "For relief—No." There shall be a separate ballot box provided for such ballots.

SECTION 3. That if three-fifths of the electors voting at said election shall vote in favor of relief, then the said bondsmen are thereby released from all liability on said bonds, and if found necessary to replace

said funds, the trustees are hereby authorized to levy a tax in addition to the other taxes by law authorized to be levied by them.

SECTION 4. That this act shall take effect on its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*

ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 5, 1893.

244L

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[House Bill No. 1329.]

### AN ACT

For the relief of Lewis Van Fleet and the sureties on his official bond as treasurer of the village of Waterville, Lucas county, Ohio.

WHEREAS, Lewis Van Fleet of the village of Waterville, Lucas county, Ohio, at the regular municipal election in said village in the year 1891, was duly elected to the office of treasurer of said village for the term of two years, and duly qualified as such treasurer by the execution of a bond conditioned according to law with sureties to the acceptance of the proper officers of said village; and,

WHEREAS, It is claimed by said Lewis Van Fleet that, on or about the 12th day of September, 1892, the sum of four hundred and fifteen dollars (\$415) of the funds of said village then in his possession as such treasurer, was stolen from his custody without his fault or neglect, and has not been and cannot be recovered by the exercise of reasonable diligence or effort; and,

WHEREAS, It is desired that the voters of said village may have an opportunity of voting on a proposition to relieve said Van Fleet and his said sureties from liability for the loss of said funds; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the mayor of said village be and hereby is authorized and empowered to submit to the electors of said village at a special election, due notice for ten days of which shall be given by posting in not less than five conspicuous places written or printed notices thereof, to be called for that purpose, the question whether said Van Fleet and his said sureties shall be relieved from liability for the loss of said sum of four hundred and fifteen dollars. At the said election the voters favorable to the relief shall have written or printed on their ballots "For the relief of village treasurer—Yes," and those opposed to said relief shall have written or printed on their ballots the words "For the relief of village treasurer—No." If a two-thirds majority of all the votes cast at said election be in favor of said relief, then, and then only, shall the said Van Fleet and his sureties be relieved of said liability.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*

ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 5, 1893.

248L

[House Bill No. 1764.]

## AN ACT

To transfer to city school districts in cities of the third grade of the first class the balance of any special school district, when a part thereof has been transferred to such city district by annexation.

[TOLEDO.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That when any portion of a special school district in a county containing a city of the third grade of the first class has been annexed to a city school district according to the provisions of section 3893 of the Revised Statutes, the board of commissioners of such county may, on the application of the board of education of such special school district, order the balance of such special school district to be transferred and attached to such city school district.

SECTION 2. That the treasurer of such special school district shall, upon notice given him by the county auditor of such action of the board of commissioners of such county, pay over to the county treasurer all moneys belonging to such special school district in his possession, and all such moneys and all moneys collected by taxation in such special school district shall be paid over to the treasurer of such city school district by the county treasurer upon the warrant of the county auditor.

SECTION 3. That all offices in such special school district shall terminate upon the making of such order and payment of such moneys as aforesaid, and the member or members of the board of education of such city district elected from the ward or wards contiguous to the territory so transferred to such city school district shall also represent said attached part; the board of education of such city school district shall order the territory so transferred to be attached for school purposes to the ward or wards contiguous thereto, and the qualified electors of such attached territory shall have the right to vote for members of the board of education of such city school district to be elected thereafter in such contiguous ward or wards to which from time to time such territory shall be so attached.

SECTION 4. That this act shall take effect on its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 18, 1893.

291G

[House Bill No. 1765.]

## AN ACT

To provide a board of sinking fund trustees for the funds to redeem and pay the Lucas county armory bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the treasurer of Lucas county be authorized and required to pay over to the board of sinking fund trustees of the city of Toledo, all moneys levied and collected in said Lucas county for the purpose of

creating a sinking fund for the redeeming and paying at maturity the Lucas county armory bonds issued pursuant to the act passed April 24, 1890, and amendments or supplements thereto.

SECTION 2. That the said board of sinking fund trustees of Toledo are authorized and required to receive and keep the control and charge of all such money, and they shall invest said money and funds upon the same terms and conditions as they keep and invest the moneys of said city of Toledo, and in the investment and care of said moneys shall be governed by the same laws and regulations, so far as the same are applicable thereto, that provide for the keeping and investing of the moneys of the said city of Toledo; provided, however, that said moneys and investments shall be kept entirely separate and distinct, and shall be known as the Lucas county armory sinking fund.

SECTION 3. That at the maturity of said Lucas county armory bonds, the said board of sinking fund trustees shall redeem and pay the same, as provided by law, and shall pay the balance of said fund, if any, over to the treasurer of Lucas county, Ohio, to the credit of the county debt fund.

SECTION 4. That the said board of sinking fund trustees shall receive no compensation for the additional duties prescribed by this act, and the said trustees shall each give a bond in the sum of \$10,000.00, conditioned according to law, and subject to the approval of the prosecuting attorney of said county, for the faithful performance of the duties and trust imposed upon them by this act.

SECTION 5. That the said trustees shall, annually in September, report to the commissioners and auditor of said county, the exact condition of said county armory sinking fund, giving the amount accrued, when, where and how invested, and such other information as may be required by the auditor, or commissioners, which report shall be placed on file and kept in the office of the county auditor.

SECTION 6. That the clerk of said sinking fund trustees shall be allowed out of the general fund of said county such reasonable compensation for the services required under this act as may be approved by the said board of sinking fund trustees and the county commissioners.

SECTION 7. That this act shall take effect on its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 20, 1893.

329L

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[House Bill No. 1786.]

### AN ACT

To amend section three (3) of an act entitled "An act to establish the fees and compensation of certain county officers in counties having at the federal census of 1870 a population of not less than 46,000, and not more than 52,000, and being supplementary to sections 1013 to 1162 of the Revised Statutes, inclusive," passed April 18, 1881 (O. L., vol. 78, pp. 167, 168).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section three (3) of the above entitled act be amended so as to read as follows:



**Sec. 3** The fees and compensation of the county treasurer shall be as follows: On settlement semi-annually, with the auditor, he shall be allowed on all moneys collected on the grand duplicate as follows: On the first twenty-five thousand dollars, two and one-half per centum; on the next twenty-five thousand dollars, one and one-half per centum; on the next one hundred fifty thousand dollars, one per centum; on all moneys collected for school purposes such compensation as is provided in section 3960 of the Revised Statutes, and on all moneys collected on any special duplicate and on all other moneys collected on the grand duplicate, five-tenths of one per centum; and on all moneys collected otherwise than on the duplicate the following percentages, viz.: On licenses, fines, forfeitures, bonds, recognizances, on the first one thousand dollars, ten (10) per cent., and all over one thousand dollars, five per cent., and on all other moneys collected on the first ten thousand dollars, one per cent., and on any excess, five-tenths of one per cent.; but no compensation, percentage, commission, or fees shall be allowed on any moneys received by him from the state treasurer, or from his predecessor in office, or the legal representative, or sureties of such predecessor, or on any moneys received from the proceeds of the bonds of the county, or of any municipal corporation.

**SECTION 2.** That said original section three (3) be and the same is hereby repealed; and this act shall take effect on its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 24, 1893.

372G

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[House Bill No. 1829.]

## AN ACT

To authorize cities of the third grade of the first class to license those engaged therein in certain occupations, trades, business and professions, and owners of horses, mules and vehicles used in such cities.

[TOLEDO.]

**SECTION 1.** *Be it enacted by the General Assembly of the State of Ohio,* That any city of the third grade of the first class may provide by ordinance for licensing persons, firms and corporations engaged in such city in any occupation, trade, business, or profession, as hereinafter named, and the owners of horses, mules, and vehicles of every kind used in such city, as hereinafter limited.

**SECTION 2.** That such ordinance or ordinances may provide and require that the occupations, trades, business and professions as enumerated in this section, shall not be engaged in nor practiced in such city until in each case, as may be and as provided for therein, license therefor has been obtained in accordance therewith, viz.: Fortune-telling, astrology and palmistry; keeping public dance-houses or ball-rooms, except halls or rooms used by posts of the G. A. R., Union Veterans and Sons of Veterans; keeping a pawnbroker's shop or office; owning or operating a circus or

menagerie, or owning or operating a side-show, concert, musical or minstrel entertainment, exhibiting freaks of nature or monstrosities, provided that no license shall be required for any musical or other entertainment given by amateurs for the benefit of a religious or benevolent institution; owning or leasing any theater or concert hall; owning or operating a shooting-gallery or ball-throwing game or cane-rack; rendering music, either vocal or instrumental, in the streets or alleys of such city for hire, or taking up a collection or receiving donations therefor; keeping a second-hand store; owning, leasing or keeping a race course or ball grounds; keeping an intelligence or employment bureau or office; selling, peddling or hawking any wares, goods, merchandise or produce from vehicles, hand or push carts, baskets, or by hand, in the streets or alleys, provided that any person selling the products of his own raising or goods of his own manufacture shall not be made liable for any license for selling, hawking or peddling the same in any manner on the streets or alleys of such city; bill-posting and distributing the same, provided that no license shall be required which will interfere with persons engaged in any other business or profession from advertising and distributing bills relating to their business exclusively; emptying or cleaning or removing the contents of privy vaults or catch-basins for hire.

SECTION 3. That such ordinance or ordinances, providing for licensing owners of and for horses, mules and vehicles used in such city, shall not require licenses for or on account of horses or mules less than three years of age; nor shall farmers, gardeners, fruit growers or florists be made liable for any license whatever for horses, mules, vehicles or otherwise, for marketing, selling, hawking or peddling the products of their farms, gardens or green houses, or for hauling any produce, goods or merchandise into or out of such city; nor shall such horse, mule or vehicle, license be required of persons living without such city and engaged in huckstering and marketing country produce; nor shall any such license fee be required of any person living, without such city and using any horse, mule, cart, sulky, carriage or other vehicle in going into or out of such city.

SECTION 4. That the ordinances authorized by this act may also provide that for the violation thereof and upon conviction therefor, a fine shall be imposed which in any case shall not be less than five dollars and not more than five hundred dollars, or imprisonment for not more than three months, or both. Said ordinance may also provide that the conviction and punishment of any person engaged in any occupation or transacting any business, or for owning or using any horse, mule or vehicle on the streets of said city without a license, when the same has been required, shall not excuse or exempt such person from the payment of any license fee due or unpaid at the time of said conviction; and each member of any firm, and each officer of any corporation required by any such ordinance to procure a license, shall, for failure to comply with the requirements of such ordinance be held to have violated the same and be subject to the penalties provided for such violation.

SECTION 5. That all moneys received by such city for licenses for or on account of horses, mules and vehicles, shall be placed to the credit of the fund for the repairing and cleaning of streets; all other moneys re-

ceived for licenses authorized by this act shall be placed to the credit of the general expense fund or general fund.

SECTION 6. That this act shall take effect on its passage.

ELVERTON J. CLAPP,

*Speaker pro tem. of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 25, 1893.

393G

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## MADISON COUNTY.

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[House Bill No. 1342.]

### AN ACT

To authorize the council of the incorporated village of Plain City, situated in Madison and Union counties, Ohio, to issue bonds and levy a tax for the purpose of providing a system of public water-works and electric light for said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village council of the incorporated village of Plain City, Madison and Union counties, Ohio, be and the same is hereby authorized to issue the bonds of said village in an aggregate sum not exceeding thirty thousand dollars, bearing interest at a rate not exceeding six per cent. per annum from their date, said interest payable semi-annually, for the purpose of providing said village with a system of public water-works and electric light.

SECTION 2. Said bonds shall be signed by the mayor of said village and countersigned by the clerk thereof, and shall not be sold for less than their par value, and shall be issued at such times and in such amounts, and mature at such dates respectively as said council shall determine by ordinance; and said village council is hereby authorized to levy a tax upon all the taxable property of said village to pay said bonds and the interest thereon when the same shall become due.

SECTION 3. The funds realized from the sale of said bonds shall be used by the council of said village for the purpose of purchasing the necessary grounds and constructing, paying for and maintaining water-works and electric light for said village, which water-works and electric light, when completed, shall be used, operated and controlled in such manner as may be prescribed by law and the ordinances of said village enacted in conformity therewith.

SECTION 4. Before such bonds shall be issued, the question of issuing the same and the levying a tax for the payment thereof, shall be submitted to a vote of the qualified electors of said village at a regular or special election called for that purpose, as the council of said village may order; notice of such election shall be given by public notice posted up at five of the most public places in said village at least five days before the day of said election. The tickets voted at said election in favor of issuing said bonds, shall have written or printed thereon "Authority to issue water-works and electric light bonds—Yes;" and all voters desiring to

vote against issuing said bonds, shall have written or printed on their tickets "Authority to issue water-works and electric light bonds—No." If the proposition to issue bonds is approved by a majority of all voters voting at said election, the council of said village shall have authority to issue the said bonds and levy the said tax as provided for in this act.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 14, 1893.  
134L

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[Senate Bill No. 485.]

### AN ACT

To authorize the village of London, Madison county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of London, Madison county, Ohio, be and the same is hereby authorized to transfer the sum of [\$]1,300.00 from the police fund to the fire department fund of the above named village.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,  
*Speaker pro tem. of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed March 17, 1893.  
140L

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### MAHONING COUNTY.

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[House Bill No. 1285.]

### AN ACT

To create a special school district from part of Goshen township, county of Mahoning, and state of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following described territory in the township of Goshen, county of Mahoning, and state of Ohio, be and is hereby made and constituted a special school district to wit: Beginning at the southwest corner of Goshen township, in Mahoning county, Ohio, running thence north along the line between the townships of Goshen and Smith, in said county of Mahoning, to the northwest corner of section number thirty,

in said township of Goshen; thence east along the center of the public road, which is along the north line of sections 30, 29 and 28 of said Goshen township, to the northwest corner of George Cobb's land to the southwest corner thereof; thence west to the east line of said section 29 of Goshen township; thence south along the center line of a public road between sections 28 and 29, 32 and 33, to the county line, between the counties of Mahoning and Columbiana. thence west along said county line to the place of beginning. The territory described to include all of subdistrict number eight (8) of said Goshen township, and seventy-five acres now owned by Duncan McDonald.

SECTION 2. All school property situate within said described territory shall be the property of said special school district.

SECTION 3. Said special school district shall be entitled to receive its proportionate share of the school funds of said township in the proportion that the assessed valuation of real and personal property in said special district bears to the assessed valuation of real and personal property of the remainder of said township of Goshen, as shown by the tax duplicate of Mahoning county for the year 1892, which shall include the school funds and the funds levied for contingent expenses, in accordance with the enumeration of the year 1892, of children who are entitled to attend school, being those funds now collected within the county or township treasury, including taxes hereafter collected upon the levy made in the year 1892; also, including hereafter its proportionate share according to the enumeration of what is known as the section 16 school fund, and shall in all respects be governed by such laws as are or may be in force relating to special school districts.

SECTION 4. This act shall take effect and be in force from and after the first day of April after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed March 1, 1893.

89L

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[Senate Bill No. 423.]

## AN ACT

To amend an act entitled "An act to increase the salary of township clerks in certain townships," passed April 15, 1889.

[YOUNGSTOWN TOWNSHIP.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That an act entitled "An act to increase the salary of township clerks in certain townships," passed April 15, 1889, be amended so as to read as follows: That in any township of the state having a population at the federal census in 1880, and which at any subsequent federal census may have a population of 21,175, and in which a county seat is located, the township clerk thereof shall receive a compensation of four hundred and seventy-five dollars per year, two hundred and fifty of which shall be paid by the township trustees, and two hundred and twenty-five dollars by the board of education of such township.

SECTION 2. That an act entitled "An act to increase the salary of clerks in certain townships," passed April 15, 1889, be and the same is hereby repealed, and this act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 14, 1893.  
123G

[House Bill No. 1347.]

### AN ACT

To create a special school district from part of Smith township, Mahoning county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following described territory in the township of Smith, county of Mahoning, state of Ohio, be and is hereby made and constituted a special school district, to wit: Beginning at the northeast corner of southeast quarter of section 24, in Smith township, Mahoning county, Ohio, running thence west on a line to northwest corner of southwest quarter of section 23; thence south to the northwest corner of section 27; thence west to the northwest corner of said quarter section; thence south to southwest corner of southeast quarter of section 27; thence east eighty rods; thence south forty rods; thence east to west line of section 35; thence south to southwest corner of lands now owned by C. Heacock; thence east along south line bounding lands now owned by C. Heacock, Levi Stanley, Lewis Cobb estate and Olive A. Barnes, to quarter section line on west side of northeast quarter of section 36; thence south along the line to southwest corner of lands now owned by James Boyles; thence east on a line bounding said lands of Boyles to east line of Smith township; thence north along the line between the townships of Smith and Goshen to place of beginning.

SECTION 2. All school property situate within the said described territory shall be the property of said special school district.

SECTION 3. Said special school district shall be entitled to receive its proportionate share of the school funds and the funds levied for contingent expenses in accordance with the enumeration of the year 1892, of children who are entitled to attend school, said funds being those now collected within the county or township treasury, and shall in all respects be governed by such laws as now are or may be in force relating to special school districts.

SECTION 4. This act shall take effect and be in force from and after the first day of April after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate*

Passed March 17, 1893.  
145L

[House Bill No. 1591.]

## AN ACT

Supplementary to an act entitled "An act to authorize the commissioners of Mahoning county to build a bridge across the Mahoning river," passed April 16, 1890, and recorded in volume 87 Ohio laws, page 557; also supplementary to an act entitled "An act supplementary to an act entitled 'An act to authorize the commissioners of Mahoning county to build a bridge across the Mahoning river,'" passed March 28th, 1892, and recorded in volume 89 Ohio laws, page 554.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Mahoning county be and they are hereby authorized and empowered to issue the bonds of said county to complete the bridge and its approaches referred to in the act passed April 16th, 1890, and to which this is supplementary. The amount of bonds herein authorized to be issued not to exceed eleven thousand five hundred dollars (\$11,500.00) in sums of not less than five hundred, nor more than one thousand each, payable at such times as said board of commissioners may fix, not exceeding seven years from the date of issue; and said board is hereby authorized and empowered to regulate and sell the same as provided by law; but the interest upon said bonds shall not exceed five per cent. (5%) per annum, nor shall they be sold for less than their par value.

SECTION 2. For the purpose of providing money for the payment of the principal and the interest of the bonds issued under this act, as the same shall become due, the commissioners of said Mahoning county are hereby authorized to levy a tax on all the taxable property of the county, not exceeding  $\frac{1}{10}$  of one mill on the dollar, or as much thereof as shall be needed to redeem such bonds and pay the interest thereon as the same become due. Said tax herein authorized to be levied to be in addition to all taxes now authorized by law.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed March 22, 1893.  
176L

[Senate Bill No. 524.]

## AN ACT

To authorize the city council of Youngstown to issue bonds for the purpose of erecting a hose house and fire station building.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of the city of Youngstown, in Mahoning county, Ohio, be and it is hereby authorized and empowered to issue bonds of said city in a sum not exceeding twenty-five thousand dollars, in denominations of not more than one thousand dollars each, and not less than one hundred dollars each, bearing interest at a rate not exceeding five per cent. per annum, payable semi-annually, and redeemable at a period not exceeding twenty-five years from the date of issue.

Said bonds shall be signed by the mayor and countersigned by the clerk of said city, and not be sold for less than their par value, and may be issued and sold at such times, and in such amounts (not exceeding said sum of twenty-five thousand dollars) as the council of said city shall determine by ordinance.

SECTION 2. The money arising from the sale of said bonds shall be used by the council and the board of city commissioners of said city for the purpose of erecting a fire engine and hose house, and appurtenances upon lands now owned by said city, situated on Boardman street, and lying between Hazel and Phelps streets.

SECTION 3. The council and the board of city commissioners of said city are also hereby authorized and empowered to sell and remove, or cause to be removed from said premises, the market-house now located thereon, and the proceeds of the sale of said market-house building shall be placed in the general fund of said city.

SECTION 4. Whenever the bonds of said city shall be issued as provided by this act, it shall be the duty of the council thereof to levy a special tax not exceeding two-tenths of a mill on the dollar in any one year, in addition to the amount already allowed by law, on all the taxable property of said city, sufficient to pay the interest accruing semi-annually on said bonds so issued, and to create a sinking fund for the payment of the principal thereof as the same shall fall due.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed March 30, 1893.

220L

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[House Bill No. 1728.]

## AN ACT

To amend an act passed March 17th, 1893, entitled "An act to create a special school district from part of Smith township, Mahoning county, Ohio."

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following described territory in the township of Smith, county of Mahoning, state of Ohio, be and is hereby made and constituted a special school district, to wit: Beginning at the northeast corner of southeast quarter of section 24, in Smith township, Mahoning county, Ohio, running thence west on a line to northwest corner of southwest quarter of section 23; thence south to the northeast corner of northeast quarter of section 27; thence west to the northwest corner of said quarter section; thence south to southwest corner of southeast quarter of section 27; thence east eighty rods; thence south forty rods; thence east to west line of section 35; thence south to southwest corner of lands now owned by C. Heacock; thence east along south line bounding lands now owned by C. Heacock, Levi Stanley, Lewis Cobb estate and Olive A. Barnes, to quarter section line on west side of northeast quarter of section 36; thence south along the line to southwest corner of lands now owned by



James Boyles; thence east on a line bounding said lands of Boyles to east line of Smith township; thence north along the line between the townships of Smith and Goshen to place of beginning.

SECTION 2. All school property situate within the said described territory shall be the property of said special school district.

SECTION 3. Said special school district shall be entitled to receive its proportionate share of the school funds and the funds levied for contingent expenses in accordance with the enumeration of the year 1892, of children who are entitled to attend school, said funds being those now collected within the county or township treasury, and shall in all respects be governed by such laws as now are or may be in force relating to special school districts.

SECTION 4. Said act passed March 17, 1893, is hereby repealed and this act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed April 13, 1893.

295L

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[House Bill No. 1556.]

## AN ACT

To authorize any township having a population at the last federal census and which at any subsequent federal census may have a population of not less than thirty-five thousand nor more than thirty-six thousand to establish a free public park.

[YOUNGSTOWN TOWNSHIP.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in any township having a population at the last federal census and which at any subsequent federal census may have a population of not less than thirty-five thousand nor more than thirty-six thousand, there shall be a board of park commissioners, to be appointed by the court of common pleas of the county where situated, to consist of three suitable resident freeholders of the township, one to serve for one year, one for two years, and one for three years from and after the second Monday in May succeeding said appointment, and thereafter one commissioner annually, to serve for three years.

SECTION 2. Such commissioners shall constitute a board to be called the township park commissioners, and they shall serve without compensation. They shall have power to locate, establish, improve and maintain a free public park within and for such township, and to accept a conveyance of, purchase or appropriate suitable lands and materials for that purpose. It shall be their duty to have careful surveys and plats made of the lands acquired for park purposes, and establish permanent monuments of their boundaries; and such plats, when executed according to the law providing for the execution of plats by corporations, shall be admitted to and recorded in the office of the county recorder, and such record shall be admissible in evidence at all times for the purpose of locating and ascertaining the true boundaries of such park.

SECTION 3. The township park commissioners shall devise all plans for the improvement of such park, and award all contracts therefor, in the manner now provided by law governing township trustees in awarding contracts for public improvements. They shall have power to appoint a guardian for such park, and all other necessary officers and employees; fix their compensation and prescribe their duties; to prohibit selling, giving away, or using as a beverage any intoxicating liquors in said park, or within one-half mile of its limits; to pass by-laws, rules and regulations for the government of such park, and to protect it from injury, and provide for their enforcement by fines and penalties; but such by-laws, rules and regulations shall not conflict with the constitution and laws of the state.

SECTION 4. When the township park commissioners cannot procure lands or materials desired for park purposes by deed or gift, or purchase upon terms they regard reasonable, they may appropriate lands or materials for that purpose by proceedings in accordance with the provisions of law regulating the appropriation of private property by municipal corporations. If it is desired at any time to acquire additional grounds for enlarging such park and improving the same, the township park commissioners are hereby empowered to accept a deed of gift of, purchase or appropriate lands therefor, in the manner hereinbefore provided for the original establishment of such park, and they may improve the same; and whenever gravel or other material is desired for the construction, improvement or repair of any roadway or other improvement herein authorized, the township park commissioners are empowered to appropriate and take the same, and for this purpose they may go outside of the township limits.

SECTION 5. To defray the expenses of purchasing, appropriating and improving lands for park purposes and maintaining the same as a free public park, the township park commissioners may levy, annually, a sufficient tax for that purpose, not exceeding one mill on each dollar of valuation on all real and personal property, including property within any municipal corporation within the limits of such township, over and above all other taxes and limitations thereon, now authorized by law, for a period of five years, and not exceeding one-half of one mill on each dollar of valuation on all real and personal property including property within any municipal corporation within the limits of such township, over and above all other taxes and limitations thereon now authorized by law, annually thereafter, unless the question of increasing such levy shall be submitted to and approved by a vote of the electors of such township, at any general or township election, which vote shall be taken on the order of the township park commissioners, specifying the additional levy they desire to make, and the purpose for which it is desired; on the making of such order the township clerk shall give notice at least thirty days before said election that the vote will be taken, by publication in not less than two papers of general circulation in said township, and posting printed notices therein in at least five public places; and the electors who favor the proposition shall have printed or written on their ballots "\_\_\_\_\_ park improvement (naming it)—Yes;" and those opposed to the proposition shall have printed or written on their ballots "\_\_\_\_\_ park improvement (naming it)—No;" and if a majority of all the votes cast upon the proposition is in favor of it, the township park commissioners may levy such additional tax; but before any lands are purchased or appropriated for such park, or any tax is levied therefor, or for

improving and maintaining the same, the question of establishing such park and levying taxes therefor shall be submitted to a vote of the electors of such township at any general or township election, which vote shall be taken on the order of the township park commissioners specifying, as near as may be, the proposed location of such park and the estimated cost thereof, on the making of which order the township clerk shall give notice, at least thirty days before said election, that the vote will be taken, by publication in not less than two papers of general circulation in said township, and posting printed notices therein in at least five public places; and the electors who favor the proposition shall have printed or written on their ballots "———park (naming it)—Yes;" and those opposed to the proposition shall have printed or written on their ballots "———park (naming it)—No;" and if a majority of all the votes cast upon the proposition shall be in favor of it, the township park commissioners shall procure the lands for that purpose and levy taxes as aforesaid; but if a majority of all the votes cast upon such proposition shall be against it, then the board of township park commissioners shall be abolished and said tax shall not be levied; and the township trustees shall pay the expenses incurred hereunder of preliminary surveys, expenses of estimates and of the submission of the question to the electors of the township as above provided.

SECTION 6. Whenever any tax is levied as herein authorized, the township park commissioners shall cause the same to be certified to the county auditor for collection and the same shall be collected as other taxes; and for the purpose of raising money to pay for and improve such park, the township park commissioners may issue the bonds of such township, to be denominated township park bonds, in any sum not in excess of the taxes herein authorized to be levied.

SECTION 7. That an act entitled "An act to authorize any township in the state having a population at the last federal census and which at any subsequent federal census may have a population of thirty-five thousand and sixty-six, to establish a free public park," passed February 12, 1891, of which this act is an amendment, shall be and the same is hereby repealed; but this repeal shall not extend to, or in any way affect the terms of office of the members of any board of township park commissioners, or any of the official acts of such board or the people of any township heretofore done, and any such board as now constituted is hereby continued as the board of township park commissioners under the provisions of this act.

SECTION 8. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 11, 1893.  
241G

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[House Bill No. 1729.]

### AN ACT

To divide Coitsville township, Mahoning county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That Coitsville township, Mahoning county, and state of Ohio,

be and the same is hereby divided into two election precincts, on the line following: Commencing at the southwest corner of said township; thence east along the line between the said Coitsville township and Poland township, to the southeast corner of Great Lot number 23 in the said Coitsville township; thence north along the east line of Great Lots numbers 23 and 16 to the middle of Great Lot number 16; thence west to the centre of said lot number 16; thence north along the centre line of said lot number 16 to the north line of the same; thence west along the north line of Great Lots numbers 16, 24 and 25 to the township line; thence south along the line between the townships of Youngstown and Coitsville to the place of beginning, and shall be known as precinct number 2. The second precinct shall consist of the balance of the territory in said township, Mahoning county, Ohio, and shall be known as precinct number 1.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 13, 1893.  
296L

[House Bill No. 1865.]

#### AN ACT

To authorize the board of education of the village of Canfield, Ohio, to levy an additional tax for school purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the village of Canfield, Ohio, be and the same is hereby authorized to levy a tax on all the taxable property within such school district, not exceeding three mills on the dollar for each year in addition to the levy now authorized by law, the same to be collected as other taxes, for the purposes of supporting and continuing the school in said school district.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,  
*Speaker pro tem. of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 25, 1893.  
378L

[House Bill No. 884.]

#### AN ACT

To amend an act entitled "An act to provide a more efficient government for cities having a population of not less than 33,000 and not more than 34,000 inhabitants," passed March 5, 1891.

[AKRON AND YOUNGSTOWN.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That an act entitled "An act to provide a more efficient govern-

ment for cities having a population of not less than 33,000 and not more than 34,000 inhabitants," passed March 5, 1891, be amended so as to read as follows:

**SECTION 2.** The officers of all cities, excepting cities of the second class, third grade "a," which according to the federal census of 1890 had, or which according to any subsequent federal census, shall have not less than 27,000 nor more than 34,000 inhabitants, shall consist of a mayor, a marshal, except as hereinafter provided, a city solicitor, a city treasurer, except as provided in Revised Statutes, section 1708, for cities of the third grade of the first class, all of which officers shall be chosen by its electors; and four city commissioners, who shall be electors of said city, to be denominated the board of city commissioners, who shall be chosen by the mayor and probate judge of the county, as hereinafter provided, and also a city clerk, who shall be elected by the council. And the council may, when in its opinion expedient, create by ordinance the offices of chief of police, civil engineer, superintendent of streets, sealer of weights and measures, fire engineer and superintendent of markets, and provide their compensation, but when such offices are created they shall be filled by appointment by the board of city commissioners; provided, that the council may, when in its opinion expedient, abolish by ordinance the office of city marshal, and that all officers heretofore and hereafter elected shall be allowed to serve the terms for which they are elected.

**SECTION 3.** The board shall, on or before the 15th day of April of each year appoint an assessor for each ward, who shall be an elector thereof, and shall take the same oath and give the same bond, receive the same compensation and perform the same duties as are provided in respect to township assessors.

**SECTION 4.** The board of city commissioners provided for herein shall be appointed by the mayor and probate judge of the county immediately after the organization of the council in April, eighteen hundred and ninety-three, two for the term of one year, and two for the term of two years; two members of said board, one for the long and one for the short term, shall be appointed from the political party which cast the highest number of votes at the last municipal election, and two from the political party which cast the next highest number of votes at said election; provided, that the foregoing provisions of this section shall not apply to cities embraced within the provisions of this act, and now having a board of city commissioners under the provisions of the act to which this is an amendment. Immediately after the organization of the council in each year, the mayor and probate judge of the county shall appoint successors to the members of said board of city commissioners whose terms in that year expire, but no more than two members of said board shall be members of the same political party at any time. The members of said board shall serve until their successors are appointed and have qualified. All vacancies that may occur in the board of city commissioners shall be filled by appointment as hereinbefore provided. No person holding any federal, state, county or municipal office, councilman of the city, or employe at any time of the city departments, shall be eligible to appointment upon said board of city commissioners.

**SECTION 5.** Each member of said board of city commissioners shall give bond, with at least three sureties to the satisfaction of the council, in the sum of \$15,000.00 for the faithful performance of his duties, which bond shall be filed with and recorded by the city clerk; and before enter-

ing upon his duties shall take and subscribe an oath, which shall be indorsed upon his bond, to support the constitution of the United States and the state of Ohio, to obey the laws, and in all his official actions and judgments to aim only to secure and maintain an honest and efficient administration of public affairs.

SECTION 6. The members of the board of city commissioners shall devote their entire time and attention to the duties of their office, and shall receive as compensation a salary of \$1,800.00 per annum, payable in monthly instalments, and no other compensation shall be allowed. The council shall furnish suitable office, furniture and office supplies for the use of the board of city commissioners. The city solicitor shall be the legal adviser of the board of city commissioners, but the board may retain and employ additional counsel when necessary in their opinion, which shall be paid by the city upon presentation of bills approved by the board.

SECTION 7. The board of city commissioners, upon their appointment and annually thereafter, shall organize by the election of one of their number as chairman and one as vice-chairman; and a clerk who may be the city clerk, but who shall not be a member of the board, whose compensation shall be fixed by the board, but shall not exceed the sum of \$1,000.00 per annum, and who may be removed at the pleasure of the board and his successor elected for the unexpired term. The clerk shall have charge of the office, keep the records of the board and perform such other duties as the board may, from time to time, determine, and he shall give bond in the sum of \$5,000.00 for the faithful performance of his duties.

SECTION 8. A member of the board of city commissioners may be removed for incompetency, inefficiency, neglect of duty or any malfeasance in office, by a two-thirds vote of all members elected to the council, as now provided by law. The board shall hold daily meetings, and three members shall constitute a quorum for the transaction of business; the yeas and nays shall be called and entered upon a journal upon the passage of every resolution or order of any kind; and no resolution, order, appointment or business transaction shall be valid unless three votes are cast and recorded in its favor. The board shall keep a complete record of all its proceedings, and a copy from its record certified by the clerk of the board, shall be competent evidence in all courts. The board shall adopt such rules and regulations for the transaction of business as may be necessary. The board of city commissioners shall have the care, management and control of streets, avenues, alleys, highways, public grounds, parks and public cemeteries and the platting, opening, improving, repairing, cleaning and lighting of the same; of the construction, protection and repair of public buildings, bridges and structures of every kind, of sewers and drainage, of making and preserving all surveys, maps, plans, drawings and estimates relating to the public works of said city and all matters and things in any way relating to, or affecting the highways and footways of the corporation.

SECTION 9. The police force of the city, the officers, employes and property connected therewith, police telegraphs, telephones and signal, sealing of weights and measures and inspection of food shall be under the administration of the board of city commissioners; and all police officers and night watchmen and other officers necessary to an effective administration of the powers conferred by this section, shall be appointed by the board of city commissioners under such rules and requirements as to physical and other fitness as the board shall adopt, and after such appoint-

ment shall hold their office during good behavior, subject to suspension or removal at the pleasure of the board for cause entered upon the record book. The board of city commissioners may, in cases of emergency, upon the application of the mayor, appoint such number of special policemen as may be necessary, which appointments shall be recorded, and during their service such special appointees shall possess the powers and perform the duties of regular policemen and shall receive the same compensation as other policemen.

SECTION 10. The fire force of the city, the officers, employes and property connected therewith, fire telegraph, signals and fire alarms, and the inspection of buildings, boilers, elevators, fire escapes and all matters relating to the fire services shall be under the management, control and administration of the board of city commissioners and all officers and members of the fire force shall be appointed by the board of city commissioners under such rules and requirements as to physical and other fitness as the board may adopt, and shall, after such appointment, hold their office during good behavior, subject to suspension or removal at the pleasure of the board, for cause entered upon the record. Subject to the provision of this act in reference to contracts, the board of city commissioners shall purchase all necessary fire engines, either steam or hand, hose carriages and all such other apparatus and instruments as shall be deemed necessary for the extinguishing of fires, and establish lines of fire-alarm telegraphs within the limits of the corporation, and fix fire limits, and shall cause to be erected all necessary and suitable buildings for containing fire engines, hose carriages and fire apparatus.

SECTION 11. Said board, together with the county auditor, shall have the power and perform the duties conferred and imposed upon the city board of equalization by chapter 4, title 13 of the Revised Statutes; and city boards of equalization existing in cities affected by this act are hereby abolished.

SECTION 11a. In all cities affected by the provisions of this act the board of city commissioners shall constitute and be the "city board of elections" therein, and such board of city commissioners is hereby vested with all the powers and shall hereafter perform all the duties conferred and imposed by the laws of Ohio upon the board of elections in such cities; and the clerk of such board of city commissioners is hereby vested with all the powers and shall hereafter perform all the duties by the laws of Ohio conferred and imposed upon the "clerk of the board of elections" in such cities. All "boards of elections" now existing in such cities and the offices of members and clerk of such boards are hereby abolished.

SECTION 12. The civil engineer, superintendent of streets, city clerk, city marshal and all other employes of the city shall perform such duties as may be prescribed by the board of city commissioners, or by the ordinances of the corporation not incompatible with the nature of their office or employment, and they shall receive such compensation as may be provided by ordinance of council. The city solicitor shall receive such compensation for additional service rendered to the board of commissioners as the board may determine, the same to be paid by the city on presentation of bills approved by the board. The city clerk shall, immediately upon the passage of any resolution or ordinance for the allowance or issuing of orders upon the city treasurer, furnish the board of city commissioners, in a book to be kept by the board for that purpose, a list of all such orders and the amounts thereof allowed by the council, and

all such orders shall be inspected by the chairman of the board, and if correct, countersigned by him before payment. He shall also furnish the board of city commissioners and the council, on or before the first Monday of April of each year, the following statements:

(a) A statement showing the balance standing to the credit or debit of the several funds on the city balance sheet at the end of the last fiscal year immediately preceding said first Monday of April.

(b) A statement showing the monthly expenditure out of each fund in the twelve months of the fiscal year immediately preceding said first Monday of April.

(c) A statement showing the annual expenditure from each fund for each of the two years next preceding said first Monday of April.

SECTION 13. All contracts involving more than five hundred dollars in amount shall be in writing, signed and executed in the name of the city by the board of city commissioners and approved by the council before they are binding on the city. No contract involving an expenditure to exceed five hundred dollars in amount shall be made without advertising for proposals in accordance with the provisions of this section. When money therefor has been appropriated by the council, the board of city commissioners may enter into such contract; but all such contracts shall be reported to the city clerk. When the corporation makes an improvement or repair the cost of which will exceed \$500, it shall proceed as follows:

(a) It shall advertise for bids for a period of two weeks, or if the estimated cost exceed \$5,000.00, four weeks, in two newspapers of general circulation as hereinafter provided, and the same shall be paid for at not exceeding twenty-five cents per square for each insertion; provided, that if either of such newspapers shall refuse to publish such advertisements, the publication thereof in one newspaper shall be deemed sufficient.

(b) The bids shall be filed with the board of city commissioners, sealed up by twelve o'clock at noon of the last day as stated in the advertisement.

(c) The bids shall be opened at twelve o'clock at noon on the last day for filing the same, by the board of city commissioners and publicly read by the officer opening the same, filed in the office of the board of city commissioners and reported to the council at the next regular meeting thereafter, and copies of all bids shall be kept in a book provided for that purpose.

(d) Each bid shall contain the full name of every person interested in the same and shall be accompanied by a sufficient bond of some disinterested person or persons resident of the county, or a certified check on a solvent bank of such city for such an amount and upon such terms as may be prescribed by the board of city commissioners, that if the bid is accepted the contract will be entered into and the performance of it properly secured.

(e) If the work bid for embraces both labor and material, they shall be separately stated, with the price therefor.

(f) None but the lowest and best responsible bid shall be accepted when such bids are for labor and material separately. But the board of commissioners may, at its discretion, reject all the bids or accept any bid which may be the lowest aggregate cost.

(g) The contract shall be between the corporation and the bidder, and the corporation shall pay the contract price for the work in cash;



provided, however, that the contract price for an improvement for the payment of the cost of which a special assessment is authorized by law, may be paid in instalments as the council may determine.

(h) If two or more bids are equal for the whole or any part of the work, but are lower than any other, either may be accepted, but in no case shall the work be divided between them.

(i) When there is reason to believe that there is a collusion or combination among the bidders or any number of them, the bids of those concerned therein shall be rejected.

(j) When it becomes necessary, in the opinion of the board, in the prosecution of any work hereafter ordered, to make alterations or modifications of the specifications or plans of a contract, or to omit from said work any portion of the street or territory originally ordered to be improved, such alteration, modification or omission, may be made by order of the board; provided, such order shall be of no effect until the price to be paid for the work under such altered or modified contract has been agreed upon in writing, and signed by the contractors and some person authorized therewith by the board; and provided, further, the total cost of the work, with the addition of the price so agreed upon, shall not exceed the original contract; provided further, that the original contract shall continue in force and no such change shall be of any effect until the same is approved by the council.

(k) No contractor shall be allowed anything for extra work caused by any alterations or modifications, unless an order is made, or agreement signed as provided in the preceding subdivision of this section, nor shall he, in any case, be allowed more for such alteration than the price fixed in such agreement.

(m) If a contract be made or authorized by the board contrary to any of the foregoing provisions, it shall at once become void and of no effect, and no money shall be paid for services rendered or material furnished under the same.

SECTION 14. All resolutions and ordinances of a general nature, or providing for improvements, and all other advertisements required in such cities, shall be published at not to exceed twenty-five cents per square for each insertion in two daily papers of general circulation, of opposite politics, and in a newspaper printed in the German language, if there be such a paper printed and in general circulation in the corporation; provided, that when the estimated cost of any improvement is less than five hundred dollars (\$500.00), it shall not be necessary to publish any resolution or ordinance pertaining to the same; and further provided, that the council of any city affected by the provisions of this act may dispense with the publication in such German newspaper.

SECTION 15. The aggregate of all taxes levied or ordered by such city above the tax for county and state purposes, and excepting the tax for schools and school-house purposes, shall not exceed in any one year, nine mills; provided, however, that the city commissioners of such cities shall, annually, at the time the rate of levy is fixed, provide by resolution for the distribution of the tax among the several departments of the corporation in such proportion to their needs as may be deemed necessary, and at no time thereafter shall the amount specified as necessary for the purposes named be changed, and all transfers of funds from one account to another are hereby expressly prohibited; and provided further, that in any such city in which there is established and main-

tained by a public library association, not organized for profit, a public library free to all inhabitants of such city, the council may levy an annual tax in addition, if need be, to said above aggregate amount of taxes, not exceeding two-tenths of a mill on all taxable property within such city, to be called the public library fund, and collected as other taxes. Said taxes for library purposes shall be paid by the treasurer of such city to the treasurer of such library association, to be used in the purchase of books, pamphlets, magazines, newspapers and for general library expenses, subject to such requirements as to accounting and reporting to council as the council may prescribe.

SECTION 16. No contract for work to be done for or material to be supplied to the city or any department thereof, shall be made with any councilman, city commissioner, officer or employe of the city, or with any firm, partnership, corporation or association of which such councilman, city commissioner, officer or employe, is a member or stockholder. If any councilman, city commissioner, officer or employe, during the term for which he shall have been elected or appointed, acquires an interest in any such contract, he shall forfeit his office.

SECTION 17. No franchise, right or privilege of any kind whatsoever shall be given, granted, renewed or extended in, along or upon any of the streets, alleys or public grounds of the city, unless first recommended by the board of commissioners; nor shall any street, highway, alley or public ground be broken up or excavations made therein or obstructed for any purpose or any pretense whatever, unless permission be first given by the board, and attested by its clerk in writing; nor shall a resolution or ordinance for the payment of claims or bills be passed, nor any binding agreement for the settlement of damages be made by the council unless the payment or settlement of such claim or bill be first recommended by the board; and any such measure required to originate in the board which is altered, changed or amended in any particular before taking effect shall be concurred in by the board.

SECTION 18. For the purpose of properly carrying out this act, the council shall enact ordinances to conform to the requirements of this act. All executive powers and duties not hereinbefore otherwise distributed, shall be vested in the board of city commissioners hereby created; provided, elective officers shall serve out their unexpired terms, performing similar duties, but their compensation shall not be affected hereby except as hereinbefore provided.

SECTION 19. The provisions of the state laws now in force relating to amount of compensation of the officers and members of the fire and police forces, and the laws relating to the firemen's pension fund, shall not be affected or repealed by the passage of this act.

SECTION 20. This act shall not be construed as applying to or affecting the board of education, the board of health, justices of the peace and constables.

SECTION 21. The act passed March 5, 1891, entitled "An act to provide a more efficient government for cities having a population of not less than 33,000 and not more than 34,000 inhabitants," is hereby repealed. All provisions of the statutes of this state in force when this act takes effect, which conflict with any provisions of this act shall be held to be superseded by the latter as to the matter of inconsistency and not otherwise. Existing ordinances of any such city not in conflict with this act shall remain in force.

SECTION 22. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 20, 1893.  
310G

## MARION COUNTY.

[House Bill No. 1553.]

### AN ACT

To authorize the board of education of the Marion union school district of Marion, Marion county, Ohio, to issue bonds and borrow money for the purpose of erecting, equipping and furnishing school buildings in said district and to make additional levy for the payment thereof.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the Marion union school district, of the county of Marion, state of Ohio, be and are hereby authorized to issue the bonds of said Marion union school district not exceeding in the aggregate the sum of seventy thousand dollars; payable as follows, to wit: Two thousand dollars on the first day of March, one thousand eight hundred and ninety-nine, and two thousand dollars on the first day of September, one thousand eight hundred and ninety-nine, and two thousand dollars on the first day of March, and two thousand dollars on the first day of September, of each succeeding year until said sum is paid; said bonds to bear interest not exceeding five per cent. per annum, payable semi-annually, the proceeds arising from the sale of said bonds to be used for erecting school-houses and furnishing the same within said Marion union school district, and the said board of education of Marion union school district may have interest coupons attached to said bonds, and the bonds to be sold according to law and for not less than their face value.

SECTION 2. That the said board of education of the Marion union school district, and their successors, is hereby further authorized to levy an additional amount above the tax now authorized by law for school purposes sufficient on each dollar of taxable property in said Marion union school district for the year[s] one thousand eight hundred and ninety-three to one thousand nine hundred and seventeen, inclusive, for the purpose of raising funds to pay said bonds, together with the interest thereon, as they become due.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed March 22, 1893.  
173L

[House Bill No. 1554.]

## AN ACT

To authorize the incorporated village of Waldo, Marion county, Ohio, to borrow money and issue bonds for the payment thereof, for the construction of street improvements.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Waldo, Marion county, Ohio, be and are hereby authorized to borrow money not exceeding the sum of two thousand dollars (\$2,000), to be used in paying for general street improvements in said incorporated village, and to issue the bonds of said incorporated village therefor; the said bonds to bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, and to be of such denominations and to mature at such times as the council of said incorporated village by ordinance shall determine, not exceeding the term of fifteen years. The said bonds shall be signed by the mayor and countersigned by the clerk and be authenticated by the seal of said incorporated village; provided, that such bonds shall not be sold for less than their par value.

SECTION 2. Said council is hereby authorized to levy such amount of tax, in addition to that already authorized by law, upon the taxable property of said incorporated village, as may be necessary to pay the interest and principal of such bonds when the same become due, said tax to be levied and collected in the same manner as taxes for general purposes are levied and collected.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,

*Speaker pro tem. of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed March 30, 1893.

223L

## MEDINA COUNTY.

[House Bill No. 1857.]

## AN ACT

To authorize the council of the incorporated village of Wadsworth, Medina county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Wadsworth, Medina county, Ohio, be and the same is hereby authorized to transfer the sum of one hundred and fifty dollars (\$150.00) from the street improvement bond fund of said village to the general fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representative.*

ANDREW L. HARRIS,

*President of the Senat.*

Passed April 25, 1893.

374L

## MEIGS COUNTY.

[House Bill No. 1265.]

## AN ACT

To create a special school district in Harrisonville precinct, Scipio township, Meigs county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the territory comprising that part of Scipio township, Meigs county, Ohio, which is bounded and described as follows, to wit: Beginning one hundred and fifty (150) rods south of the northwest corner of section thirteen (13), township seven (7), range fourteen (14); thence east three hundred and twenty (320) rods to the section line and extending one hundred and four (104) rods and twelve (12) links in section seven (7); thence north twenty-three and one-half ( $23\frac{1}{2}$ ) degrees east, ninety-five (95) rods to the state road; thence northwesterly along said road about fifty and one-half ( $50\frac{1}{2}$ ) rods to the southeast corner of an eight (8) acre lot of land owned by M. French; thence north twenty-six and one-half ( $26\frac{1}{2}$ ) degrees, east, forty-four (44) rods and eight (8) links to section line; thence north three hundred and twenty (320) rods through the center of section (8); thence west on the north line of section eight (8) one hundred and seventy-five (175) rods to the southwest corner of fraction number two (2); thence north one hundred (100) rods to the northeast corner of fraction number one (1); thence west three hundred and six (306) rods to the northwest corner of fraction number one (1); thence south along the west line of fraction number one (1), seven (7) and thirteen (13) about five hundred and sixty (560) rods to the place of beginning, comprising the village of Harrisonville and the several tracts and parcels of land within the said boundaries be and the same is hereby erected, created and declared to be and to constitute a special school district.

SECTION 2. The board of education of this special school district shall be organized under and governed by the laws of the state of Ohio that are or may be in force relating to special school boards. Its members shall be residents of the districts and have the qualifications of electors therein.

SECTION 3. Such special school district shall be entitled to receive funds for school-houses and its proportionate share of school funds and funds for incidental expenses in accordance with the examination for the year 1892 of children who are entitled to attend school, said funds being those collected within the county and township treasuries, and shall be governed by the laws in force relating to special school districts.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed February 23, 1893.

[House Bill No. 1715.]

## AN ACT

Supplementary to section three of an act entitled "An act to authorize cities having a population at the last federal census of five thousand five hundred and sixty, or that may have at any subsequent census such population, to build a freight and passenger railroad within its limits, and to own and control the same," passed March 26, 1890.

[POMEROY.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following be enacted as supplementary to section three of the above named act:

Sec. 3a. That the said trustees and their successors shall also have full power, in addition to the powers already conferred by the act to which this is supplementary, to lease said railway to such person, association of persons, or corporation as will in their opinion best serve the interests of said city, for such time or times and on such terms and conditions as shall be agreed upon between said trustees and said person, association or corporation.

SECTION 2. That this act to take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed March 31, 1893.

210G

[Senate Bill No. 574.]

## AN ACT

To establish a school subdistrict in town 9, range 15, Meigs county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That a school subdistrict to be known and numbered as subdistrict No. 2, be established in town 9, range 15, of Meigs county, the same to be composed of territory embracing a tract of land two miles square including all of original sections Nos. 3, 4, 9, and 10 of town 9, range 15. Ohio Company's purchase in Meigs county, O.; also so much of section No. 5 in said town 9, range 15, as lies within the following boundaries, to wit: Beginning at the point where the north line of section No. 4 and the public road leading to Albany, Athens county, O., intersects; thence northerly along said road to where it crosses the road leading from Scipio township to Mt. Blanco; thence westerly along said last named road to the west line of said section No. 5; thence south on said section line to the southwest corner of said section 5; thence east to the place of beginning; provided, however, that this change of territory shall in no wise affect the government of this subdistrict, which shall be regulated and controlled by the laws governing the other subdistricts in the township.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 21, 1893.  
• 335L

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MERCER COUNTY.

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[House Bill No. 1012.]

AN ACT

To authorize the commissioners of Mercer county to make an appropriation to the agricultural society.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Mercer county, Ohio, be and are hereby authorized to make an appropriation of the sum of fifteen thousand dollars out of any unappropriated money in the treasury of said county, and to pay the same to the Mercer county agricultural society, to be used by said society in purchasing additional land, and paying its present indebtedness and making necessary improvements on the land owned, leased or used by said society; provided also that the commissioners of said county, in addition to the bond regularly required of the treasurer of said agricultural society, may also before paying over said sum of money demanded of said treasurer a bond in double the amount conditioned that said money shall be used and applied in conformity with the terms and provisions of this act.

SECTION 2. Should there be no such funds in said treasury, then said commissioners are hereby directed to issue the bonds of said county for such amounts as may be necessary, not to exceed the amount provided for in section 1 of this act. Such bonds to bear interest at not to exceed six per cent. per annum, interest payable semi-annually, and be payable at such place and time (not exceeding ten years) as the commissioners of said county may determine; and to provide for the payment of said bonds the said county commissioners are hereby authorized to levy such annual tax on all taxable property of the county as may be necessary therefor. Said levy to be collected and accounted for as other county taxes by the proper officers.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed February 16, 1893.  
67L

[House Bill No. 1460.]

## AN ACT

To authorize the council of the village of Rockford, Mercer county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the common council of the village of Rockford, Mercer county, Ohio, be and is hereby authorized to transfer two hundred and fifty dollars (\$250.00) from the corporation fund, and two hundred and fifty dollars (\$250.00) from the fire fund, to a drainage fund created by the common council of said village.

SECTION 2. This act shall be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed March 22, 1893.

160L

[House Bill No. 1787.]

## AN ACT

To authorize the trustees of Jefferson township, Mercer county, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Jefferson township, Mercer county, be and they are hereby authorized to transfer five hundred (\$500.00) dollars from the bridge fund to the general fund of said township.

SECTION 2. This act shall take effect from its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 18, 1893.

.311L

[House Bill No. 1788.]

## AN ACT

To amend section one of an act entitled, "An act to authorize the commissioners of Mercer county to make an appropriation to the agricultural society," passed February 16, 1893.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*. That section one (1) of an act which passed and took effect on February 16, A. D. 1893, entitled "An act to authorize the commissioners of Mercer county to make an appropriation to the agricultural society," be amended so as to read as follows:

Sec. 1. That the commissioners of Mercer county be and are hereby directed to make an appropriation of the sum of fifteen thousand dollars



out of any unappropriated money in the treasury of said county, and to pay the same to the Mercer county agricultural society, to be used by said society in paying its present indebtedness and making necessary improvements on the lands now owned, leased or used by said society, or to be used by said society in purchasing land, meaning such land as is now leased, used or occupied by said society, or such additional or other lands as may be necessary for the use and purposes of said society; provided also, that the commissioners of said county, in addition to the bond regularly required of the treasurer of said agricultural society, may also before paying over said sum of money demand of said treasurer a bond in double the amount conditioned that said money shall be used and applied in conformity with the terms and provisions of this act.

SECTION 2. Said original section 1 is hereby repealed and this act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,

*Speaker pro tem. of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 20, 1893.

325L

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## MIAMI COUNTY.

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[House Bill No. 1281.]

### AN ACT

To authorize the board of education of the city of Piqua, Miami county, Ohio, to borrow money and issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the board of education of the city of Piqua, Miami county, Ohio, be and they are hereby authorized to borrow any sum of money, not exceeding forty thousand dollars, for the purpose of erecting a primary school building or school buildings, and, if deemed advisable, for the purpose, also, of enlarging the school lot intended to be used for the erection of the contemplated new school building.

SECTION 2. That for the purpose aforesaid, the said board are hereby authorized to issue bonds, not exceeding forty thousand dollars in amount, to be signed by the president, and attested by the clerk of the board, in sums of not more than one thousand dollars, nor less than one hundred dollars, bearing interest at a rate not to exceed six per cent. per annum, payable semi-annually, said bonds to be payable at such time or times not exceeding twenty years from the respective dates thereof, as said board may determine; said bonds shall not be sold for less than their par value, and said board may, at their discretion, have coupons attached.

SECTION 3. Said board shall, annually thereafter, cause the necessary taxes to be levied to pay the interest on said bonds, and to pay the principal thereof as the same shall become due, in the manner provided by law for levying and collecting taxes.

SECTION 4. That this act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed February 15, 1893.  
62L

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[House Bill No. 886.]

### AN ACT

To divide Springcreek township, Miami county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the township of Springcreek, Miami county, Ohio, be and the same is hereby divided into two election precincts upon the line described as follows: Commencing at the east end of what is known as the "Middle bridge," over the Great Miami river; thence east, following the center of the Urbana free pike road to the eastern line of said township. That all that part of said township lying south of said dividing line be and the same is hereby constituted an election precinct, to be called the south precinct of said township, and elections therein shall be held in the village of Huntersville; and that part of said township lying north of said dividing line be and the same is hereby constituted an election precinct, to be called the north precinct of said township, and elections therein shall be held in the village of Rossville.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,  
*Speaker pro tem. of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed February 17, 1893.  
70L

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[House Bill No. 1461.]

### AN ACT

For the relief of D. S. Filbrun, treasurer of Bethel township, Miami county, Ohio.

WHEREAS, On the morning of February 25, 1893, by a fire caused by the explosion of a kerosene lamp, in the office of D. S. Filbrun, township treasurer of Bethel township, Miami county, Ohio, (a township not provided with a fire-proof safe), there was destroyed, among other valuables, currency belonging to the township funds of said township, to the value of six hundred and sixty-five (\$665) dollars, said funds being township, road and school funds; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the township trustees of Bethel township, in the county of Miami, Ohio, are hereby authorized to submit to the qualified electors

of said township at an annual election, ten days' notice of which shall be given before the day of said election, by written or printed posters in at least ten public places in said township, the question of releasing D. S. Filbrun, treasurer of said township, and his sureties, from the loss of said six hundred and sixty-five dollars.

SECTION 2. That the voters of said township desiring to vote for such relief shall have written or printed upon their ballots the words: "For the relief of D. S. Filbrun—Yes;" those desiring to vote against such relief shall have written or printed upon their ballots the words: "For the relief of D. S. Filbrun—No."

SECTION 3. That if a majority of all the votes cast at said election shall be in favor of said release, then said trustees and board of education of said township, shall release said D. S. Filbrun and his sureties from all liability arising from said loss.

SECTION 4. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,

*Speaker pro tem. of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed March 8, 1893.

109L

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[House Bill No. 1636.]

### AN ACT

Authorizing the commissioners of Miami county to locate and improve a road and build the necessary bridges and culverts thereon.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Miami county, Ohio, be and they are hereby authorized to condemn, lay out and improve by grading and graveling and also to make the necessary bridges and culverts thereon, a road commencing at the northern terminus of Harrison street in the city of Troy, thence northwardly to the southeast corner of the southern extremity of the Miami county, Ohio, fair grounds, thence along and on the east side of said fair grounds to a point where the south line of the six acres recently purchased through the probate court of the heirs of Eliza McKaig, as an addition to said fair grounds intersects the said southern extremity, thence, east along and south of the said south line to the Troy and Piqua pike and there terminate.

SECTION 2. That said county commissioners may pay for said improvement out of the bridge and road fund or the road repair fund, or out of both funds, or they may if they deem it best, issue bonds payable withing five years from date thereof and to bear interest at not more than six per cent. payable semi-annually, and in no case to be sold for less than their par value.

SECTION 3. For the purpose of paying the interest of said bonds and the principal of the same as they shall become due if said commissioners shall issue the same, there shall be annually levied a sufficient tax upon all the property of the said county in addition to the taxes now authorized by law to be levied thereon.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 6, 1893.  
262L

[House Bill No. 1836.]

### AN ACT

To authorize the council of the village of Covington, Miami county, to issue bonds not exceeding ten thousand dollars for the purpose of securing a supply of natural gas by drilling for and piping same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Covington, Miami county, be and they are hereby authorized and empowered to issue its bonds not to exceed in amount ten thousand dollars, in such denominations not less than one hundred dollars nor more than five hundred dollars, payable at such times not exceeding (twenty) years, and at such places as said council may determine, for the purpose of securing a supply of natural gas by boring, or drilling and piping the same.

SECTION 2. For the payment of the principal and interest of said bonds as the same may become due, the council of said village is hereby authorized and required to levy a tax on all taxable property within the corporate limits of said village in such amounts as will each year meet the principal and interest then falling due upon said bonds, which levy shall be placed on the tax duplicate by the auditor of said county and collected as other tax.

SECTION 3. That before said council shall issue said bonds it shall submit the proposition to the qualified electors of said village at a special or general election, at least ten days' notice of such election having been given by publication in a newspaper having general circulation in said village. Those voting at such election who favor such issue of bonds shall have written or printed upon their ballots the words "Authority to issue bonds—Yes," and those opposing such proposition shall have written or printed upon their ballots the words "Authority to issue bonds—No," and if a majority of those voting are in favor of such issue, then the council shall have authority under this act.

SECTION 4. This act shall take effect and be in force on and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senat*

Passed April 24, 1893.  
364L

[House Bill No. 1879.]

## AN ACT

To authorize the city of Piqua to borrow money and issue its bonds therefor for the purpose of procuring territory and rights of way, sinking wells for natural gas, purchasing wells and natural-gas works, purchasing and laying pipes, and supplying said city with natural gas for public and private use and consumption.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the incorporated city of Piqua, in the county of Miami, and state of Ohio, shall be and hereby is authorized to issue its bonds for an amount not to exceed \$30,000, for the purpose of procuring territory, rights of way, sinking wells for natural gas, purchasing wells and natural-gas works, purchasing and laying pipes with all necessary fixtures, attachments, machinery, and for the construction of necessary buildings to supply said city and the inhabitants thereof with natural gas for public and private use and consumption.

SECTION 2. Before said bonds, or any of them, shall be issued by said city, the question of their issue shall be submitted to vote at any general or municipal election, or at a special election herein provided for, and upon which question all of the qualified electors of said city shall have the right to vote. The tickets voted shall have thereon the words "Authority to issue natural gas bonds—Yes;" also, the words, "Authority to issue natural gas bonds—No." If a majority of all those voting upon the proposition shall vote in favor thereof said city shall have authority to issue such bonds for such purposes named according to the provisions of this act.

SECTION 3. The mayor of said city, before such general or municipal or special election at which such proposition is voted upon, shall cause a public notice of its submission to be published in all of the newspapers published and of general circulation within said city, for at least ten days prior to such election, and such election shall be held, proclamation thereof and returns thereof made, in all respects not otherwise herein provided for, as municipal elections are now required by law to be held and returned in said city, and no special election shall be held for the determination of said question of authority to issue bonds except the same shall be provided for and the time thereof fixed by an ordinance of the city council of said city.

SECTION 4. Such bonds, when issued as aforesaid, shall be issued, if at all, in accordance with the provision of the ordinance of the city council of said city passed for that purpose, and shall be in denomination of not less than \$500 nor more than \$1,000, and shall be due and payable at such times not less than ten years and not more than 30 years from the date of the issue thereof, with interest not exceeding six per cent. per annum payable semi-annually, both interest and principal payable at such certain place as may be provided for by said ordinance, and interest on said bonds shall be represented by coupons attached thereto. Said bonds shall show upon their face the purpose for which, and the act under which, they were issued, and shall be signed by the mayor and the president of the city council and be attested by the city clerk of said city, and shall have the seal of the city attached thereto, and shall be sold as provided by law for the sale of other municipal bonds, and shall not be sold for less than the face value thereof.

SECTION 5. No more of said bonds shall be issued or sold than is necessary for and required by the actual and necessary cost and expense of procuring the necessary grounds, sinking so many wells as may be required for the purposes herein named, the purchase of wells and natural-gas works, purchase and laying of pipes and the rights of way therefor, and such other necessary attachments, fixtures and machinery and buildings as may be required to carry into effect the provisions of this act. And such bonds shall be sold from time to time as the works progress and in such amounts as shall be required for the proper progress and completion of such works; but no sale of such bonds shall be made without the city council of said city authorizing by ordinance such sale. The proceeds and moneys arising from such sale or disposal of such bonds shall be applied exclusively for the purpose of paying the cost and expense of procuring the necessary gas territory and sinking and purchasing such number of wells as may be required for the purposes named.

SECTION 6. All moneys collected or received by the trustees of the gas-works of said city from the consumers of such gas after paying the necessary running expenses thereof, shall be applied to the payment of such bonds and interest, and the council of said city is hereby authorized to levy a tax annually not exceeding one mill on the dollar valuation on the taxable property within said city, in addition to the tax now by law authorized to be levied thereon, in such amount as will each year be sufficient, together with the net income of such gas-works, to pay the interest, then falling due upon such bonds, and provide a sinking fund for the gradual redemption thereof.

SECTION 7. The moneys so applicable to the payment of such bonds shall be used to purchase said bonds or invested by order of the council, and shall be placed to the credit of said bonded debt and shall be used for the extinguishment thereof and for no other purpose.

SECTION 8. If it shall appear by the returns of any election at which authority to issue such bonds shall have been submitted to vote, that a majority of those voting upon the proposition favor the same, then the mayor of said city shall certify such fact under seal to the governor of the state of Ohio, who thereupon shall appoint for said city a board of trustees composed of three citizens of said city, one of whom shall be appointed for one year, one for two and one for three years; and the board so appointed shall, under the directions of the city council, have charge of the purchase, construction and management of the gas-works provided for by this act for the said city, and shall hold their offices until their successors are elected and qualified. Any vacancy occurring in such board prior to the next general or municipal election after such board shall have been appointed shall be filled by appointment by the mayor of said city subject to the approval of the council thereof. After said board shall have been organized in said city, one member thereof shall be elected at each annual municipal election as provided for the election of other officers of said city.

SECTION 9. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives*  
ANDREW L. HARRIS,  
*President of the Senate*

Passed April 27, 1893.  
395L

## MONROE COUNTY.

[House Bill No. 1551.]

## AN ACT

To authorize the commissioners of Monroe county, Ohio, to borrow money and issue bonds for the purpose of making and erecting permanent improvements upon the Monroe county fair grounds, owned by the county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Monroe county, Ohio, be and they are hereby authorized to borrow money and issue bonds therefor, in any sum not exceeding five thousand (\$5,000.00) dollars, and to levy a tax upon the taxable property of said county sufficient to pay same, for the purpose of improving said grounds and erecting permanent buildings thereon; provided, that said bonds shall not be issued except by the unanimous consent of the board of commissioners, which consent shall be taken by yeas and nays and recorded on the journal of said commissioners..

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*

ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 23, 1893.  
197L

[House Bill No. 1858.]

## AN ACT

To authorize the council of the incorporated village of Graysville, Monroe county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Graysville, Monroe county, Ohio, be and are hereby authorized to transfer the sum of four hundred dollars from the general revenue fund to the street improvement fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*

ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 25, 1893.  
375L

[House Bill No. 1859.]

## AN ACT

To create and establish Baresville special school district in Ohio township, Monroe county, Ohio, and to increase the number of members of the board of education from three to six.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following described territory in the township of Ohio, county of Monroe, and state of Ohio, be and is hereby made and constituted a special school district, to wit: The north half of fractional section 23, township 1, R. 3, all of fractional section 24, township 1, R. 3, the N. W.  $\frac{1}{4}$  of N. E.  $\frac{1}{4}$  of section 29, township 1, R. 3, the east  $\frac{1}{2}$  of section 30, township 1, R. 3, and the south part of fractional section 19 and the S. E. part of the S. E.  $\frac{1}{4}$  of section 25, of township 2, and R. 3, beginning for the last named parts of sections 19 and 25, 36 rods east of the quarter post on the south side of section 25, township 2, and R. 3, thence north to a drain; thence down said drain to a run; thence down the run to the quarter section line, running north through the center of the S. E.  $\frac{1}{4}$  of section 25; thence north with said line 86 rods, to the quarter section line; thence east with the quarter section line 80 rods, to the quarter post between sections 19 and 25; thence north with the section line 62 rods, to Narrow's run; thence down Narrow's run to a stone marked with a cross; thence north 31 degrees, E. 19 rods to a ledge of rocks; thence with the ledge of rocks 12 45-100 rods to a sugar tree 12 inches in diameter; thence south 84 degrees, E. 5 rods to a stone on the west side of the river road; thence north with the road 25 6-10 rods to a stone; thence east to the Ohio river; thence south with the Ohio river to the S. E. corner of section 19, township 2, R. 3; thence west with the township line to the place of beginning.

SECTION 2. On the second Monday of May following the passage of this act, the electors of said special district shall meet and elect three additional members of the board of education, one to serve until the third Monday in April, 1894, and one to serve until the third Monday in April, 1895, and the other to serve until the third Monday in April, 1896, and until the election and qualification of their successors; and on the second Monday of April of each year thereafter, the first election held under this act, there shall be elected two members of said board of education, to serve for three years, and until their successors are elected and qualified.

SECTION 3. All school property situate within the said described territory shall be the property of said special school district.

SECTION 4. Said special school district shall be entitled to receive its proportionate share of the school funds and the funds levied for contingent expenses in accordance with the enumeration of the year 1892, of children who are entitled to attend school, said funds being those now collected within the county or township treasury, and shall in all respects be governed by such laws as now are or may be in force relating to special school districts.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representative*

ANDREW L. HARRIS,

*President of the Sena.*

Passed April 25, 1893.

376L



## MONTGOMERY COUNTY.

[House Bill No. 993.]

## AN ACT

To authorize the council of the incorporated village of Miamisburg, Montgomery county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Miamisburg, Montgomery county, Ohio, be and are hereby authorized and empowered to transfer one thousand dollars (\$1,000.00) from the police fund, and nineteen dollars and sixty-two cents (\$19.62) from the cemetery fund to the street improvement fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

L. C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed January 11, 1893.

4L

[House Bill No. 1071.]

## AN ACT

To provide for an extension of time in which annual city boards of equalization in cities of the second grade of the second class shall complete their work in the year 1893.

[DAYTON.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in cities of the second grade of the second class the annual city board of equalization shall, in the year 1893, begin its session on the first day of February, and shall close its session on the first day of September of said year; and said board shall be subject to and be governed by all the provisions of the Revised Statutes of Ohio relating to the annual city boards of equalization in such cities not inconsistent with this act.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed February 1, 1893.

26G

• [House Bill No. 1021.]

## AN ACT

To supplement section 14 of an act to provide for the improvement of streets and avenues in certain cities of the second class, passed April 24, 1890.

[DAYTON.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 14 of an act passed April 24, 1890, entitled "An act to provide for the improvement of streets and avenues in certain cities of the second class," be and the same is hereby supplemented with sectional numbering as follows:

Sec. 14a. In order to provide an additional fund for carrying on said improvements provided for in said act passed April 24, 1890, and paying so much of the cost thereof as is provided in said act shall be paid by the city at large, it shall be lawful for the board of city affairs of any such city to issue bonds in the name of said city additional to the bonds authorized by section 14 of said act, in an amount not to exceed the sum of five hundred thousand dollars; said bonds shall be issued from time to time as the work progresses, in such denominations as may be determined by said board of city affairs, and shall be made payable in not less than ten nor more than thirty years from the date thereof, and shall bear interest at a rate not exceeding five per cent. per annum. Said bonds shall be signed by the president of said board of city affairs, and attested and sealed by the city comptroller, and for the payment of said bonds and the interest thereon, the city council of such city shall levy a tax, and in addition in rate and amount to all other taxes authorized by law, every year during the period the bonds have to run, sufficient in amount each year to pay the bonds falling due that year, and the accruing interest.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed February 3, 1893.

35G

[House Bill No. 1249.]

## AN ACT

To provide for the care and control of the Salem and Philipsburg turnpike.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Montgomery county are hereby authorized to create all portions of the Salem and Philipsburg turnpike in Randolph and Clay townships, Montgomery county, from the intersection of the Dayton, Taylorsburg and Salem turnpike in the village of Salem in said county, to a point where said Salem and Philipsburg turnpike intersects the Miami county line, into a separate road district and are also hereby authorized to make an appropriation for keeping said road in repair; provided, that no part of said appropriation be made from

taxes collected on property within the corporate limits of the city of Dayton.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 22, 1893.  
154L

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[House Bill No. 1437.]

### AN ACT

To authorize the board of city affairs in cities of the second grade of the second class to issue bonds for the payment of indebtedness of police department.

[DAYTON.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in order to provide for any existing deficiency in the police fund of any city of the second grade of the second class, it shall be lawful for the board of city affairs of such city to issue bonds in the name of such city in an amount not to exceed the sum of forty thousand dollars. Said bonds shall be issued in such denominations as may be determined by said board of city affairs and shall be made payable in not more than twenty years from the date thereof and shall bear interest at a rate not exceeding five per cent. per annum. Said bonds shall be signed by the president of the board of city affairs and attested and sealed by the city comptroller and shall not be sold for less than par. For the payment of said bonds and the interest thereon the city council of such city shall levy a tax and in addition in rate and amount to all other taxes authorized by law every year during the period the bonds have to run sufficient in amount each year to pay the bonds with accrued interest falling due thereon in any such year.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,  
*Speaker pro tem. of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 8, 1893.  
109G

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[House Bill No. 1020.]

### AN ACT

To authorize cities of the second grade of the second class to construct bridges and to issue bonds to pay therefor.

[DAYTON.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That any city of the second grade of the second class in which

there now is or hereafter may be a canal or other navigable water-course shall have power and is hereby authorized to remove, alter or repair any bridge or bridges across the same and the approaches thereto, and in case of the removal of any such bridge or bridges, in place thereof to construct hoist bridge or bridges and the approaches to same, and to do all and singular the things necessary to the proper construction, alteration or repair and operation of such bridge or bridges.

SECTION 2. For the purpose of providing a fund to pay the cost of any such improvement or improvements provided for by section 1 of this act, the board of city affairs of any such city of the second grade of the second class is hereby authorized and empowered to issue and sell the bonds of such city in an amount sufficient to pay the cost of such improvement or improvements, but not exceeding in amount fifteen thousand dollars. Such bonds shall be in such denominations as the board of city affairs may deem best, shall be for a length of time not exceeding twenty years, and shall bear interest at a rate not exceeding five per cent. per annum, and the interest thereon shall be payable semi-annually. The city council of any such city is hereby authorized to levy on the general duplicate thereof an annual tax not exceeding one-half of one mill, in addition to all other taxes heretofore or hereafter levied, for the redemption of said bonds and the payment of the interest thereon, until such bonds and interest are fully redeemed and paid.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed March 14, 1893.

119G

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[House Bill No. 1462.]

### AN ACT

To authorize cities of the second grade, second class, to build bridges and to issue bonds therefor.

[DAYTON.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That any city of the second grade of the second class is hereby authorized to construct a wrought iron wagon bridge and the necessary approaches thereto, across any stream flowing into such city from the west, at such points within such city as may be determined by the board of city affairs and city council thereof; and for such purpose such city, by its board of city affairs, is authorized to issue the bonds of such city to an amount not to exceed fifteen thousand dollars, payable at such times as the board of city affairs of such city may determine, not to exceed fifteen years; and such bonds shall be of such denomination as said board of city affairs shall determine; and shall bear interest, payable annually, at a rate not to exceed five per cent. per annum. Such bonds shall not be sold for less than their par value, and the proceeds of sale thereof or so much of said proceeds as shall be necessary, shall be ap-

plied to the purpose hereinbefore named; and said bonds shall be signed by the city comptroller and the president of the board of city affairs of such city, and be sealed with the seal of the corporation.

SECTION 2. The council of such city is hereby authorized to levy an annual tax, not in excess of  $\frac{20}{100}$  of one mill on each dollar of valuation on the general duplicate of such city, which shall be in addition to all other taxes heretofore authorized to be levied or hereafter authorized to be levied, and which shall be for the redemption of said bonds, with interest thereon, until paid; and such bonds shall be redeemed from the proceeds of such levy as they shall become due.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 14, 1893.  
120G

[House Bill No. 1090.]

## AN ACT

To enlarge the powers of the deputy state supervisors of elections in certain cities.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in any county which may now or hereafter contain a city of the second grade of the second class, the deputy state supervisors of elections in and for such county shall be and are hereby empowered and authorized to provide a proper polling place or house in and for each voting precinct in such county outside of such city, and to designate the locations thereof, in which elections shall be held and voting at elections shall be done, provided that township houses shall be the voting places in the precincts where they may be situated.

SECTION 2. That in order to provide such polling places or houses, such deputy state supervisors of elections may rent proper houses, rooms or other places, or may procure and purchase portable houses and provide for the care, repair, setting up and removal thereof, and such portable houses may be set up for elections on any public, county or township road, highway or street. When such deputy supervisors determine to purchase portable houses, they shall obtain same for the lowest price possible, regard being had to the suitableness and durability of the various kinds manufactured or obtainable, and such deputy supervisors shall provide means for the heating and lighting of, and proper furniture for, all such polling places or houses.

SECTION 3. Such deputy state supervisors of elections shall contract in the name of such county for the providing of such polling places or purchase of such portable houses, and for the means of heating and lighting, furnishing, keeping, repairing, setting up and removing same. Such deputy supervisors shall certify to the county commissioners of such county all bills, accounts and liabilities named in, for and by all such contracts made as and for the purposes aforesaid, and in the performance of all such contracts, and same shall be paid out of the

county treasury as other county expenses, and such county commissioners shall make the necessary levy to meet the same.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 14, 1893,  
180G

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[House Bill No. 1435.]

### AN ACT

To authorize the council of any incorporated village in the state of Ohio, which at the last federal census had, or which at any subsequent federal census may have, a population of not less than 355 nor more than 365, to issue bonds for the purpose of paying off existing indebtedness, for constructing and repairing bridges, drains and sewers, and for street improvements, and to repeal a certain act therein named.

[WEST CARROLLTON.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of any incorporated village in the state of Ohio, which at the last federal census had or which at any subsequent federal census may have a population of not less than 355 nor more than 365, be and the same is hereby authorized to issue the bonds of such village in any sum not exceeding twelve thousand dollars, bearing interest at a rate not exceeding six per cent. per annum, payable semi-annually, for the purpose of paying off existing indebtedness, for constructing and repairing bridges, drains and sewers, and for improving the streets of such village.

SECTION 2. Said bonds shall be issued in such amounts, and payable at such place and times not exceeding twenty years from the respective dates thereof, as said council may determine; they shall be in denominations of not less than one hundred dollars nor more than five hundred dollars, as said council may direct, and shall be issued and sold according to law. Said bonds shall be signed by the mayor and countersigned by the clerk of such village, and shall not be sold for less than their par value.

SECTION 3. That for the purpose of paying said bonds and the interest thereon, as the same may become due, the said council is hereby authorized to levy a tax annually on all the taxable property of such village, sufficient in amount to pay said bonds and interest as they become due, in addition to the taxes now authorized by law to be levied, which levy shall be placed on the duplicate by the auditor of the county in which any such village is situated, and collected as other taxes.

SECTION 4. That an act entitled "An act to authorize the village of West Carrollton, Montgomery county, Ohio, to issue bonds for the purpose of paying off existing indebtedness, and constructing drains and

sewers," passed April 10, 1888, be and the same is hereby repealed, and this act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 14, 1893.  
134G

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[House Bill No. 1397.]

### AN ACT

To authorize the village council of the village of Brookville, Ohio, to transfer funds from the fire fund to corporation fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village council of the village of Brookville, in Montgomery county, Ohio, be and hereby are authorized to transfer, permanently, one hundred and twenty-seven dollars and four cents (\$127.04), from the fire fund to the corporation fund.

SECTION 2. This act shall take effect and be in force from date of passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 22, 1893.  
158L

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[House Bill No. 1438.]

### AN ACT

To authorize the board of education of any city of the second grade of the second class to borrow money and issue bonds therefor for the purpose of erecting and completing a high school building and district school buildings and purchasing sites therefor.

[DAYTON.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of any city of the second grade of the second class be and is hereby authorized in addition to authority heretofore conferred to borrow money and issue bonds therefor in any sum not exceeding the sum of two hundred thousand dollars for the purpose of erecting and completing a high school building and district school buildings and purchasing sites therefor.

SECTION 2. Said bonds shall be issued in sums not less than five hundred dollars, shall bear interest not exceeding five per cent. per annum, payable semi-annually, and shall be due and payable at such times as the board may determine, not exceeding twenty years from the date thereof. Said bonds shall not be sold at less than their par value, and accrued interest, if any.

SECTION 8. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 22, 1893.  
160G

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[House Bill No. 1484.]

### AN ACT

To amend section 11 of an act entitled "An act to establish an efficient and non-partisan police in cities of the second grade of the second class," passed March 8th, 1887.

[DAYTON.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 11 of an act entitled "An act to establish an efficient and non-partisan police in cities of the second grade of the second class," passed March 8th, 1887, be and the same is hereby amended so as to read as follows:

Sec. 11. The superintendent of police shall receive a salary not exceeding twenty-five hundred dollars per annum; each captain of police shall receive a salary not exceeding sixteen hundred dollars per annum; each sergeant shall receive a salary not exceeding twelve hundred dollars per annum; each detective and chief of detectives a salary not exceeding twelve hundred dollars per annum; each roundsman a salary not exceeding eleven hundred dollars per annum; and the pay of each patrolman shall not exceed the sum of nine hundred dollars per annum.

SECTION 2. Said original section 11 is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 22, 1893.  
171G

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[House Bill No. 1406.]

### AN ACT

To provide for the expending of proceeds of bonds heretofore granted to build new hose houses in cities of the second grade, second class, and not required for such buildings in providing furniture and fire apparatus necessary to equip such new houses.

[DAYTON.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in all cities of the second grade, second class, in which



bonds entitled "fire department bonds," have heretofore been authorized and issued for the purpose of erecting new hose houses, and the money arising from the sale of such bonds has not all been required and expended in the erection of such new hose houses, and a portion of such funds, proceeds of such bonds, remains unexpended, it shall be lawful for the fire commissioners of any such city to expend such balance, or so much thereof as they may deem necessary in equipping such new hose houses with necessary furniture and fire apparatus.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 23, 1898.  
177G

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[House Bill No. 1463.]

### AN ACT

To authorize the boards of city affairs in cities of the second grade, second class, to contract for the removal and disposition of garbage, night-soil, dead animals, and animal offal, and to erect and maintain garbage crematories or furnaces for such purposes.

[DAYTON.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That boards of city affairs in all cities of the second grade, second class, be and they hereby are authorized to contract, for a period not exceeding fifteen years, for the removal or disposition of all garbage, night-soil, dead animals and animal offal separately or together within such cities; and the city council of any such cities where such contracts may be made, shall, in addition to taxation now authorized to be levied for other purposes, be and hereby is authorized to levy upon each dollar of the taxable property of such cities, as the same is listed for taxation upon the grand duplicate, fifteen hundredths of a mill a year during every year of the continuance of such contracts, to pay the cost and expense of the removal and disposition of such garbage, night-soil, dead animals, and animal offal under such contract; said taxes to be collected as other taxes, and the money arising therefrom shall constitute a separate fund to be called the "garbage fund," and shall be applied solely to the purpose for which it is raised.

SECTION 2. Such boards of city affairs in any such cities, when, in their judgment, the best interests of such cities will be subserved thereby, may build, equip and maintain garbage crematories or furnaces, at such places within or near to the corporate limits of such cities as may seem to them best, for the disposition of all garbage, night-soil, dead animals and animal offal within the corporate limits of such cities.

SECTION 3. Whenever the board of city affairs in any such city shall determine to erect and equip such garbage crematory or crematories, furnace or furnaces, it shall be lawful for such board of city affairs to issue bonds therefor, entitled "garbage crematory bonds" of such city, in

the sum of fifty thousand dollars, to be sold according to law, the money arising from such sale of said bonds, and the premium thereon, to be paid into the treasury of such city and placed to the credit of the garbage crematory or furnace building fund to be expended for the purpose designated in the second section of this act, and no other purpose. Said bonds shall be of such denominations as said board of city affairs may deem best, in any sum not exceeding said amount herein named, and for a length of time not exceeding fifteen years, and at a rate of interest not exceeding five per cent. per annum, payable semi-annually; and, if issued, shall be signed by the president of the board of city affairs and the comptroller of such city, and be sealed with the seal of such comptroller.

SECTION 4. That the city council of any such city is hereby authorized, in event such bonds are issued, to levy an annual tax not in excess of three-tenths of one mill on the general duplicate of said city, in addition to the other taxes heretofore authorized to be levied, or hereafter to be levied for the redemption of said bonds and the payment of the interest thereon until said bonds and the interest thereon are paid, and said bonds redeemed as the same come due.

SECTION 5. That in any such city where the board of city affairs may build and equip such garbage crematory or crematories, furnace or furnaces, the city council of such city, in addition to taxation now authorized to be levied for other purposes, is hereby authorized to levy upon each dollar of the taxable property of such city, as the same is listed for taxation upon the grand duplicate, twenty hundredths of a mill every year in order to raise money to operate such crematory or crematories, furnace or furnaces; said tax shall be collected as other taxes, and the money arising therefrom shall constitute a separate fund to be called the "garbage crematory operative fund," and shall be applied solely to operating such garbage crematory or crematories, furnace or furnaces.

SECTION 6. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed March 27, 1893.  
184G

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[House Bill No. 1549.]

### AN ACT

To authorize cities of the second grade, second class, to issue water-works improvement bonds for the purposes therein specified.

[DAYTON.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in all cities of the second grade of the second class in which water-works may now be established in which it becomes necessary to purchase additional pumping machinery and to improve the water-works pumping station, and to lay additional mains and the improvement of the water supply for such city, it shall be lawful for the board of city affairs

of such city to issue bonds therefor, entitled water-works improvement bonds, in the sum of one hundred and fifty thousand dollars, to be sold according to law, the money arising from the sale of such bonds to be paid into the city treasury of such city, and placed to the credit of the water-works improvement fund to be expended for the purposes designated in this act. Said bonds shall be of such denomination as the board of city affairs of such city may deem best, in any sum not in excess of the amount hereinbefore named, and for a length of time not exceeding twenty years, and at a rate of interest not exceeding five per cent. per annum, payable semi-annually; said bonds shall not be sold for less than their par value, and the proceeds thereof, together with such premiums as may be derived therefrom, shall be applied to the purposes herein mentioned; said bonds shall be signed by the president of the board of city affairs and the city comptroller of such city and be sealed with the seal of said city comptroller.

SECTION 2. The city council of any such city is hereby authorized to levy an annual tax, not in excess of five-tenths of one mill on the dollar on the general duplicate of such city, in addition to the other taxes heretofore authorized to be levied or hereafter to be levied for the redemption of said bonds and the payment of the interest thereon, until said bonds and the interest thereon are paid and redeemed as the same may become due.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 27, 1893.  
185G

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[Senate Bill No. 558.]

### AN ACT

To authorize the library board in any city of the second grade, second class, to establish and maintain a public museum in connection with the public library of such city.

[DAYTON.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in any city of the second grade of the second class, wherein there now is or shall hereafter be a public library of such city, under the control, custody and management of a library board established pursuant to the provisions of an act entitled "An act to provide for competent and nonpartisan public library boards in cities of the second class, second grade," passed March 21, 1887 (O. L., v. 84, p. 171), and of acts amendatory thereto, such library board shall have the power, and is hereby authorized to establish and maintain, in connection with such public library, a public museum for the benefit of the public of such city; and such board may appropriate and expend, out of the amount of the tax levy heretofore or hereafter annually made for library purposes and for the use of such board, such amounts as are in their judgment necessary for the establish-

ment and maintenance of such public museum. Such library board is empowered to receive, by way of gift, loan or purchase, specimens and collections for such museum, to be accepted and held by such board and their successors in office, in trust for museum purposes, and under such conditions and regulations as they may from time to time establish. Such library board may make, from the funds arising from such tax levy, such purchases of specimens and collections for such museum, as shall not impair the proper and sufficient use of such funds for library purposes.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 19, 1893.  
296G

[House Bill No. 1741.]

### AN ACT

To authorize cities of the second grade, second class, to issue bonds for the purpose of erection, rebuilding, or repair of bridges in such cities.

[DAYTON.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That cities of the second grade, second class, in the state of Ohio, be and they hereby are authorized to issue bonds in any sum not to exceed twelve thousand dollars for the purpose of erection, rebuilding or repair of bridges within such cities.

SECTION 2. It shall be lawful for the board of city affairs in any such city, when it shall deem necessary, to issue such bonds; said bonds shall be designated "bridge bonds," shall be in such denomination, run for such length of time not exceeding ten years, and bear such rate of interest not exceeding five per cent. per annum, payable semi-annually, as such board of city affairs may determine; said bonds shall not be sold for less than their par value, and the proceeds thereof, together with such premiums as may be derived from the sale thereof, shall be applied to no other purpose than herein mentioned. Said bonds shall be signed by the president of the board of city affairs and the city comptroller of such city and be sealed with the seal of such city comptroller.

SECTION 3. The city council of any such city is hereby authorized to levy annually upon all the taxable property in such city a tax sufficient in rate and amount for the redemption of said bonds as the same fall due, and the payment of the interest thereon, until said bonds and the interest thereon are paid and said bonds redeemed, and such levy shall be additional in rate and amount to the taxes now authorized by law to be levied for any or all other purposes.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 21, 1893.  
340G

[House Bill No. 1790.]

## AN ACT

To provide for the creation of the office of clerk to the mayor in cities of the second grade of the second class.

[DAYTON.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in all cities of the second grade of the second class, there be and hereby is created the office of clerk to the mayor, which said clerk shall have power to administer oaths and take affidavits and such other powers and perform such other duties as may be prescribed by law or by ordinance, or as directed by the mayor, not incompatible with the nature of his office, and who, before entering upon the duties of his office, shall give bond to the satisfaction of the board of city affairs of any such city in a sum not less than two thousand dollars conditioned on the faithful performance of his duties, and he shall receive a salary of six hundred dollars per year, payable monthly; and upon his presenting a voucher certified to by the mayor for such services, it shall be the duty of the city comptroller to issue his warrant to the treasurer of such city for the payment thereof. Such clerk to the mayor shall be appointed by the mayor of such city within ten days after the passage of this act, and shall continue in office until his successor shall be appointed and qualified.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 21, 1893.  
341G

[House Bill No. 1831.]

## AN ACT

To amend section one (1) of an act to establish a board of fire commissioners in cities of the second grade of the second class, who shall have the management and control of the fire department, passed April 16, 1880 (vol. 77 O. L., page 296).

[DAYTON.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section one of an act to establish a board of fire commissioners in cities of the second grade of the second class, who shall have the management and control of the fire department, passed April 16, 1880, be and the same is hereby amended to read as follows:

Sec. 1. That in every city, which, at the date of the passage of this act, ranks as a city of the second grade of the second class, the management and control of the fire department shall be vested in a board of four commissioners, having the qualifications of electors of said city, two of whom shall be appointed from each of the two leading political parties by a two-thirds vote of the city council of said city; two of said commissioners appointed from the same political party shall serve for one and

three years respectively, and two of said commissioners appointed from the other political party shall serve for two and four years respectively, and all shall serve until their successors shall be appointed and qualified; annually, thereafter, the said city council shall, in like manner, appoint a commissioner of like qualifications and from the same political party as the commissioner whom he succeeds, who shall serve for four years and until his successor is appointed and qualified, and the said city council shall, in like manner, fill all vacancies in said board by appointing for the unexpired terms, commissioners from the same political party as those whom they succeed. Each member of said board of fire commissioners shall receive a salary of three hundred dollars per annum.

SECTION 2. Said original section one of an act to establish a board of fire commissioners in cities of the second grade of the second class who shall have the management and control of the fire department, passed April 16, 1880, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 24, 1893.  
376G

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[House Bill No. 1872.]

### AN ACT

To authorize the issue of bonds in certain counties for the erection and repair of buildings at the county infirmary.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in any county containing a city of the second grade of the second class, the county commissioners are hereby authorized to issue the bonds of said county in any sum not to exceed twenty-five thousand dollars (\$25,000), the money derived therefrom to be applied to the erection of new buildings and repair of old ones at the county infirmary, located in said county. Said bonds shall be signed by the county commissioners and countersigned by the county auditor who shall affix his seal hereto. Said bonds to bear a rate of interest not to exceed six (6) per cent. per annum; interest and principal payable at the county treasurer's office of said county; interest payable semi-annually and evidenced by interest coupons; said bonds to be payable at such time or times not exceeding ten years from the respective dates thereof, and to be in such denominations, as the commissioners may determine before the issue of said bonds. The issue, the form, the record, and the redemption of said bonds to be in conformity to the laws governing the issue of county bonds; said bonds to be sold under all the conditions and requirements of law.

SECTION 2. For the purpose of creating a sinking fund for the gradual extinction of the bonds authorized in section 1 of this act, the commissioners are hereby authorized and required, annually, until the payment of the bonds be fully provided for, to levy and collect in addition

to the other taxes of the county a tax sufficient to pay said bonds and interest, upon the taxable property in the county, which said taxes shall be paid into the treasury, and applied by order of the commissioners to the extinguishment of said bonds and to no other purposes whatever.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,  
*Speaker pro tem. of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 27, 1893.  
436G

## MORGAN COUNTY.

[Senate Bill No. 330.]

### AN ACT

To transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the auditor of Morgan county, Ohio, be and is hereby authorized to transfer one thousand dollars from the children's home fund to the indebtedness fund; also five hundred dollars from the children's home fund to the county fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed January 18, 1893.  
10L

[Senate Bill No. 366.]

### AN ACT

To transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the corporation clerk of the incorporated village of McConnelsville, Morgan county, Ohio, be and hereby is authorized to transfer three hundred dollars from the fire and wharf fund to the sprinkling fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed January 26, 1893.  
79L

[Senate Bill No. 457.]

## AN ACT

To authorize the village of McConnelssville, Morgan county, Ohio, to borrow money for the purpose of completing the furnishing of the town hall and public offices of said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of McConnelssville, Morgan county, Ohio, be and the same is hereby authorized to borrow a sum not exceeding one thousand dollars, for the purpose of completing the furnishing of the town hall and public offices in said village.

SECTION 2. For the purpose of borrowing said money the council is authorized to issue the promissory notes of said village, duly attested by the mayor and clerk thereof, for sums not less than two hundred dollars each, and not to exceed in the aggregate said amount of one thousand dollars; said notes to bear interest at a rate not exceeding six per cent., payable annually, and be redeemable and payable at a period not exceeding three years from the date of issue.

SECTION 3. Whenever said money shall be borrowed as provided for in this act, it shall be the duty of said council to levy a tax on all the taxable property within said village sufficient to pay the interest annually accruing on said notes so issued, and to create a sinking fund for the payment of the principal thereof as the same shall become due.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 10, 1898.  
114L

## MORROW COUNTY.

[Senate Bill No. 449.]

## AN ACT

To amend sections 5 and 7 of an act passed March 21, 1890 (87 O. L., p. 455), entitled "An act to regulate, govern and keep in perpetual repair the Bloomfield cemetery and buildings in South Bloomfield and Bennington townships, Morrow county, Ohio."

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*. That sections five (5) and seven (7) of the act passed March 21, 1890, entitled "An act to regulate, govern and keep in perpetual repair the Bloomfield cemetery and buildings in South Bloomfield and Bennington townships, Morrow county, Ohio," shall be so amended as to read as follows:

Sec. 5. It shall be the duty of this board to annually determine and report to the trustees of their respective townships before the first M...



day in May, annually, the amount of levy required, not to exceed five-tenths of a mill on the dollar for any one year. To the amount so estimated, the trustees of the townships shall certify, in writing, before the first Monday in June of each year, to the auditor of the county, who shall assess the entire amount upon all the taxable property of said cemetery district, and enter the same upon the tax list of the county, and the county treasurer shall collect the same, at the same time and in the same manner as the state and county taxes are collected, and pay it to the treasurer of the cemetery district upon the warrant of the county auditor, and he shall not receive more than one per centum on all moneys so collected.

Sec. 7. That a majority of said trustees shall constitute a quorum of said board for the purpose of transacting business, including the execution and delivery of deeds to purchasers of lots in said cemetery for burial purposes; and said board shall make all needful rules and regulations to govern said cemetery, not inconsistent with the provisions of this act.

SECTION 2. Said original sections five (5) and (7) are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed March 2, 1893.  
98L

[Senate Bill No. 572.]

## AN ACT

To divide Perry township, Morrow county, Ohio, into two voting precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That Perry township, Morrow county, Ohio, shall be divided into two election precincts, by a line beginning at the southeast corner of section number sixteen (16) in said township; thence west to the southwest corner of said section; thence north to the middle section line of number sixteen (16); thence west on said middle section of numbers seventeen (17) and eighteen (18) to the west line of said township.

SECTION 2. All of that part of said township north of the above described dividing lines shall be one voting precinct, called precinct number one, with the voting place at the village of Johnsville; and all of said township south of said line shall be one voting precinct, called precinct number two, with the voting place at the village of North Woodbury.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 22, 1893.  
246L

## MUSKINGUM COUNTY.

[House Bill No. 1141.]

## AN ACT

To create a special school district from parts of Union township, county of Muskingum, and state of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following described territory in the township of Union, county of Muskingum and state of Ohio, be and is hereby made and constituted a special school district, to wit: The west half of section four (4) and the west half of southeast quarter of section four (4), sections five (5), and six (6); the west half of the southwest quarter of section seven (7), and the south half of the east half of the southwest quarter of said section seven (7); the north half of section fourteen (14), and the west half of the southwest quarter of section fourteen (14), the west half of section fifteen (15), and the northeast quarter of said section fifteen (15).

SECTION 2. All school property situated within the said described territory shall be the property of said special school district.

SECTION 3. Said special school district shall be entitled to receive its proportionate share of the school funds and the funds levied for contingent expenses, in accordance with the enumeration of the year 1892, of children who were entitled to attend school, said funds being those now collected within the county or township treasury, and shall, in all respects, be governed by such laws as now are or may be in force relating to special school districts.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed February 2, 1893.  
40L

[House Bill No. 961.]

## AN ACT

To authorize the city council of the city of Zanesville, Ohio, to issue bonds and borrow money for the purchase of additional cemetery grounds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city of Zanesville, in Muskingum county, Ohio, be and is hereby authorized and empowered to issue bonds not to exceed the sum of fifteen (\$15,000) thousand dollars, bearing a rate of interest not exceeding six per centum per annum, payable semi-annually; and to be of such denominations as said council by ordinance shall provide, not less than one hundred dollars each, which bonds shall be made payable at such time as said council shall determine, not exceeding fifteen years after date and shall not be sold for less than their par value; and the money arising

from said bonds shall be used and applied in the purchase of additional cemetery grounds for the use of said city and for no other purpose.

SECTION 2. That said city council shall have the power, if they deem it necessary after the issuing of said bonds, to levy a tax on the taxable property of said city in addition to the rate now authorized by law in each year during the running of such bonds, sufficient to pay the interest and ultimately to pay the principal of the bonds at maturity, and the money arising from such tax shall be applied by said council to the payment of the interest and principal of said bonds and for no other purpose.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed February 9, 1893.  
49L

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[House Bill No. 1250.]

#### AN ACT

To authorize the council of the city of Zanesville to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the city of Zanesville be and is hereby authorized and empowered to transfer to the general fund of said city, or to such other funds as the council may deem proper, so much of the funds arising from the levy made for the year 1892 under the authority and provisions of an act of the general assembly entitled "An act to authorize the city council of any city of the third grade of the second class, having at the last federal census, or which at any subsequent federal census may have a population of 18,113, to issue bonds for developing natural gas and oil, and for general improvements and benefit of said city," passed February 19th, 1890 (87 O. L., 22), as may not be needed or required for said year to pay the interest, as the same becomes payable, on any bonds issued under the power or authority conferred by said act.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,  
*Speaker pro tem. of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed February 17, 1893.  
74L

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[House Bill No. 754.]

#### AN ACT

To abolish the office of school land treasurer of Salt Creek township, of Muskingum county, Ohio, and to authorize and require the treasurer of said township to assume the duties of said school land treasurer.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the office of school land treasurer of Salt Creek township, of

Muskingum county, Ohio, is hereby abolished, and that the treasurer of said township have all the rights and is authorized and required to assume the functions and duties of the school land treasurer of said township, as provided for in chapter 1 of title 11, of the Revised Statutes of Ohio.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed February 21, 1893.  
75L

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[House Bill No. 472.]

### AN ACT

To authorize the board of education of Taylorsville union school district, Muskingum county, Ohio, to levy additional tax to carry on the schools therein.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Taylorsville union school district, of Muskingum county, Ohio, be and is hereby authorized to levy a tax for the years 1892, 1893, 1894 and 1895 on all the taxable property within said school district, not exceeding two (2) mills on the dollar for each year in addition to the levy now authorized by law, the same to be collected as other taxes, for the purpose of supporting and continuing the schools in said district.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 22, 1893.  
152L

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[House Bill No. 1547.]

### AN ACT

To repeal an act entitled "An act to create a special school district from parts of Union township, county of Muskingum, and state of Ohio."

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That an act passed February 2d, 1893, creating a special school district from parts of Union township, county of Muskingum, and state of Ohio, is hereby repealed.

SECTION 2. This act shall be in force on and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 22, 1893.  
172L

[ House Bill No. 1548.]

## AN ACT

To authorize the board of education of Licking township, Muskingum county, Ohio, to issue bonds for the purpose of purchasing a site and erecting a high school thereon.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That a township graded high school be and is hereby established in Licking township, Muskingum county, Ohio.

SECTION 2. The board of education of said township is hereby authorized to issue bonds and sell the same, not to exceed five thousand dollars, and to use the proceeds thereof in procuring a site and in building and furnishing a school-house in said township for said high school purposes; provided, however, that said board of education shall first submit the proposition to issue said bonds to the qualified voters of said township at a general or special election, after giving at least ten days' notice thereof, by posting in not less than five public places in said township written or printed notices. Those voting at said election in favor of issuing said bonds shall have written or printed on their ballots "School bonds—Yes," and those opposed "School bonds—No." If a majority of the votes so cast at said election shall be found in favor of said bonds, said board of education shall proceed to issue said bonds and levy such taxes as are provided in section 4 of this act, and not otherwise.

SECTION 3. Said bonds shall be in sums of not less than five hundred dollars each, the first of which shall be made payable not later than the year A. D. 1894, and the remainder thereof shall be made payable one each year thereafter until all are paid. They shall bear interest at a rate not exceeding six per cent. per annum, to be paid annually, and shall not be sold for less than their par value. Said bonds shall be signed by the president and clerk of said board, and a record of the same shall be kept by the clerk.

SECTION 4. Said board of education shall cause the necessary taxes to be levied to pay the interest on said bonds, and to pay the principal thereof, as the same shall become due, in the manner provided by law for levying taxes for school and school-house purposes.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 23, 1893.  
198L

[House Bill No. 1546.]

## AN ACT

To authorize the trustees of Cass township, Muskingum county, to levy an additional tax for the purpose of completing their township hall.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Cass township, Muskingum county, Ohio,

be and they are hereby authorized to levy a tax not to exceed two-tenths of one mill upon each dollar of taxable property of said township, in addition to the levy for township purposes now authorized by law, to enable said trustees to complete their township hall building, now in an unfinished condition; the said additional tax to be entered on the duplicate of said township and collected in the same way as other taxes are collected.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 23, 1893.  
199L

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[House Bill No. 1638.]

### AN ACT

To authorize the city of Zanesville to borrow money and issue bonds for water-works purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city of Zanesville be and is hereby authorized to borrow a sum of money not exceeding twenty-five thousand dollars, for the purpose of securing the grounds necessary for, and erecting a stand-pipe, and purchasing and laying the water mains necessary for connecting and operating the same in connection with the high service water-works of said city.

SECTION 2. The city council of said city is hereby authorized to issue and sell bonds for any sum not exceeding twenty-five thousand dollars, for the purpose provided in section 1 of this act. Said bonds shall be issued in denominations not less than one hundred dollars each, and shall bear interest from date of issue at a rate not exceeding six per cent. per annum, payable semi-annually, and shall be redeemable in a period of time not exceeding twenty years from date of issue. Said bonds shall be sealed with the corporate seal of said city, and signed by the mayor, and countersigned by the clerk of said city, and shall not be sold for less than their par value, and may be issued and sold at such times and in such amounts as the council of said city may determine by ordinance.

SECTION 3. Whenever the bonds of said city shall be issued as provided by this act, it shall be the duty of the council thereof to levy a tax not exceeding one mill on the dollar in any one year, in addition to the amount already allowed by law, on all the taxable property of said city, sufficient to pay the interest accruing on the bonds so issued, and to create a sinking fund for the payment of the principal thereof when the same shall become due.

SECTION 4. The board of water-works trustees of said city are hereby authorized to select a site for said stand-pipe.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 5, 1893.  
233L

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[House Bill No. 1767.]

### AN ACT

To reimburse Nathan L. Smith, of Blue Rock township, Muskingum county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Blue Rock township, in Muskingum county, Ohio, be and they are hereby authorized and empowered to pay to said Smith out of the township funds of said township the sum of two hundred and thirty one and seven one-hundredth dollars (\$231.07).

SECTION 2. Provided, that the said trustees shall submit said proposition to reimburse upon ten days' notice being given (by printed notices put up in five of the most public places of the township) to the qualified electors of said township at the November election, 1893, and a majority of said electors at such election shall declare in favor of such reimbursement shall have written or printed on the regular tickets voted by them the words "Reimburse Nathan L. Smith—Yes," and those opposed "Reimburse Nathan L. Smith—No."

SECTION 3. This act shall be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 21, 1893.  
333L

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[House Bill No. 1847.]

### AN ACT

To amend an act entitled "An act to authorize the council of the village of Dresden, the county of Muskingum, to transfer certain funds," passed April 18, 1892, and to repeal an act on the same subject, passed April 5, 1889.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That an act entitled "An act to authorize the town council of the village of Dresden, Muskingum county, to transfer certain funds to the general village fund, and one-half of the police fund to the light fund," passed April 18, 1892, be amended so as to read as follows:

Sec. 1. That the council of the village of Dresden, Muskingum county, be and they are hereby authorized to transfer the amount of any fund or funds, raised for the purpose of erecting a town hall in said village, to the general village fund, and to also authorize said council

to transfer four hundred dollars of the police fund of said village to the light fund of said village.

SECTION 2. That "An act authorizing the village of Dresden, Muskingum county, Ohio, to issue bonds for the purpose of purchasing a site and erecting thereon a town hall and engine house," as passed April 5, 1889, be and the same is hereby repealed.

SECTION 3. That said original act passed April 18, 1892, is hereby repealed, and this act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 25, 1893.

386L

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## NOBLE COUNTY.

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[House Bill No. 1057.]

### AN ACT

To authorize the council of any incorporated village of Ohio, which at the last federal census had or which at any subsequent federal census may have a population of not less than 1,240 nor more than 1,260, to issue bonds for electric lights and street improvements.

[CALDWELL.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of any incorporated village of Ohio which at the last federal census had or which at any subsequent federal census may have a population of not less than 1,240 nor more than 1,260, be and is hereby authorized to borrow not to exceed twenty-five thousand dollars (\$25,000.00) for electric light and street improvements.

SECTION 2. And for the purpose of meeting the expense aforesaid, the said council is authorized to issue bonds to be signed by the mayor and attested by the clerk of said village, in denominations not less than five hundred dollars (\$500.00) nor more than one thousand dollars (\$1,000.00), bearing interest not to exceed six per cent. per annum, payable annually, said bonds to be payable at such time or times not exceeding thirty years from their respective dates thereof as said council may determine, which said bonds shall not be sold for less than their par value and to be sold without compensation or commission, and said bonds may in the discretion of said council have interest coupons attached, and said bonds and interest shall be payable at the said village.

SECTION 3. And for the purpose of paying said bonds and interest thereon as the same shall become due, the said council is hereby authorized and empowered to levy on all the taxable property of said village a tax for such an amount annually, not exceeding three and one-half mills above the maximum authorized by the general laws, collected as other taxes and when collected, paid over to the treasurer of said village.



**SECTION 4.** The act to authorize the council of any incorporated village of Ohio to issue bonds for electric lights and street improvements for said village, before the same shall become a law, the act shall first be submitted to a vote of the qualified electors of such incorporated village, and if said act be ratified and affirmed by two-thirds majority of all the votes for or against said act at any general election, held within the corporate limits of the said village, or by a special election to be called by council to vote upon said act, and the propositions therein, and if the act be ratified as aforesaid, the same shall take effect and be in full force when ratified by said majority vote of the electors aforesaid.

**SECTION 5.** This act shall take effect and be in full force on and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed January 30, 1893.  
21G

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[House Bill No. 1398.]

#### AN ACT

To add additional territory to the Dexter City voting precinct in Noble county, Ohio.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Ohio,* That section thirty-two of Enoch township, in Noble county, Ohio, be annexed to the Dexter City voting precinct in said county.

**SECTION 2.** This act shall take effect on its passage.

ELVERTON J. CLAPP,  
*Speaker pro tem. of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 8, 1893.  
106L

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#### OTTAWA COUNTY.

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[House Bill No. 1544.]

#### AN ACT

To authorize the trustees of Salem township, Ottawa county, Ohio, to transfer certain funds.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Salem township, Ottawa county, Ohio, be and they are hereby authorized to transfer the sum of one thousand one hundred and ninety-three (\$1,193.00) dollars from the town hall fund to the road fund of said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 23, 1893.  
200L

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[House Bill No. 1543.]

### AN ACT

To establish a special school district in Benton township, Ottawa county, to be known as the Rocky Ridge special school district.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That a special school district, in the township of Benton, Ottawa county, Ohio, to be known as the Rocky Ridge special school district, be and the same is hereby established in and of the following described territory, to-wit: The east half of sections 27 and 34, and the whole of sections 25, 26, 35 and 36 in town number seven, range number fourteen east, of said Benton township, Ottawa county, Ohio.

SECTION 2. Said special school district shall be entitled to receive its proportionate share of the school funds, and the funds levied for incidental expenses, in accordance with the enumeration of the year 1892, of school children entitled to attend school; said funds being those now collected within the township or county treasuries, and shall be governed by such laws as now are or may hereafter be in force relating to special school districts.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 23, 1893.  
201L

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[House Bill No. 1542.]

### AN ACT

To authorize the board of education of the Port Clinton special school district of Ottawa county, Ohio, to call in outstanding bonds and issue other bonds covering the indebtedness thereof, for the purpose of extending the time of payment.

WHEREAS, The board of education of the Port Clinton special school district of Port Clinton, Ottawa county, Ohio, in the year 1891, for the purpose of paying for the construction of a new school building, pursuant to a vote of the electors of said district, issued five certain bonds of \$2,000.00 each, dated September 1st, 1891, and due respectively in

1, 2, 3, 4 and 5 years after the date, with interest at six per cent. per annum payable semi-annually; and

WHEREAS, Of said bonds, those coming due September 1st, 1893, September 1st, 1894, September 1st, 1895, and September 1st, 1896, in the sum of \$8,000.00, are outstanding, and the rate of taxation authorized to be levied from year to year to meet the payment thereof, has been found to be burdensome; and

WHEREAS, The holder of said outstanding bonds has proposed to return the same and take other bonds of smaller denominations and extend the time of payment of said indebtedness; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the Port Clinton special school district of Port Clinton, Ottawa county, Ohio, be and the same is hereby authorized to call in certain outstanding bonds of said district in denominations of \$2,000.00 each, dated September 1st, 1891, due respectively September 1st, 1893, September 1st, 1894, September 1st, 1895, and September 1st, 1896, bearing interest at six per cent. per annum payable semi-annually, aggregating the sum of \$8,000.00, and which were issued by said board, in the year 1891, to pay for the construction of a new school building, and to issue other bonds of said district in liquidation of the same for the purpose of extending the time of payment of said indebtedness.

SECTION 2. Said bonds shall be in denominations of \$1,000.00 each and shall not exceed the sum of \$8,000.00; the same to become due and payable in 1, 2, 3, 4, 5, 6, 7 and 8 years after their date, and to bear interest at six per cent. per annum payable semi-annually; the same to be dated on the day of the exchange thereof for said outstanding bonds, to have interest coupons attached and to be signed by the president and clerk of said board after a resolution of said board duly authorizing the same, and to be delivered to the holder of said outstanding bonds upon return of the same to said board of education; and upon return of said outstanding bonds, said board of education shall immediately destroy the same.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 23, 1893.  
202L

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[House Bill No. 1597.]

### AN ACT

To authorize the trustees of Put-in-Bay township, Ottawa county, Ohio, to establish a special cemetery district.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That all that territory in the township of Put-in-Bay, in Ottawa county, Ohio, comprising South Bass or Put-in-Bay island, Kelleys island, Ballast island and Gibraltar island, be and said territory is hereby created a township special cemetery district.

SECTION 2. The township trustees of said Put-in-Bay township are hereby authorized and required, within six months after the passage of this act, to purchase a suitable site for a cemetery, in said special cemetery district, at a price not to exceed one thousand five hundred (\$1,500.00) dollars, and to take the title of the property so purchased in the said township for cemetery purposes. In order to provide the necessary moneys with which to purchase and improve such cemetery the said trustees are hereby authorized to issue the bonds of the said township in the sum of one thousand five hundred (\$1,500.00) dollars, in denominations of three hundred (\$300.00) [dollars] each, payable in one, two, three, four and five years respectively, bearing interest not exceeding six per cent. per annum, and payable at such place as the said trustees may designate.

SECTION 3. For the purpose of raising the necessary moneys for the redemption of said bonds, as they may mature, and for the payment of the interest as the same shall accrue thereon, the said trustees are hereby authorized to levy a sufficient tax upon all the real and personal property included in the territory comprising said special cemetery district, and such tax may, as the same shall be necessary, be levied in addition to the taxes now authorized by law for other purposes.

SECTION 4. The said township trustees shall plat the said cemetery grounds so purchased into suitable lots, and sell the same at a price not to exceed twenty-five dollars per lot, and all moneys received from the sale of such lots shall be first applied to the improvement of said cemetery, and the remainder, if any there be, in the liquidation of said bonds and the payment of accrued interest thereon; except as otherwise herein provided the said township special cemetery district shall be under the management and control of the said township trustees, and shall be subject to all the provisions of the law relating to the establishment, control and management of township cemeteries.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 6, 1893.  
260L

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## PAULDING COUNTY.

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[House Bill No. 1486.]

### AN ACT

To authorize the board of education of Benton township, Paulding county, Ohio, to issue bonds for the payment of existing indebtedness.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Benton township, Paulding county, Ohio, is hereby authorized to issue the bonds of said township for not more than twenty-five hundred (\$2,500) dollars in such denomina

tions as said board may direct, to run from one and not exceeding ten years, payable in such installments, annually as said board may deem best, bearing interest not exceeding six per cent. payable semi-annually, which bonds shall not sell for less than par; said bonds shall be signed by the president of said board and attested by the clerk thereof; and the money arising from the sale of said bonds shall be used for the payment of the present indebtedness of said board of education and for no other purpose. Said board of education shall levy annually, upon all of the property in said township, taxes sufficient to pay the accruing interest, and provide a sinking fund for the redemption of said bonds as they become due.

SECTION 2. This act shall take effect from its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 10, 1893.  
119L

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[House Bill No. 1724.]

#### AN ACT

To authorize the township trustees of Brown township, Paulding county, to make a special levy for cemetery purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township trustees of Brown township, Paulding county, are hereby authorized and empowered for the purpose of purchasing and improving cemetery grounds in said township to levy upon the duplicate of said township a tax of not exceeding three mills for not more than three consecutive years, beginning with the year 1893. Said levy to be collected and paid as other taxes and returned to the treasurer of said township and expended by said trustees for the purchase of cemetery grounds and the improvement of cemetery grounds in said township, or solely for the improvement of cemetery grounds, at the discretion of said trustees.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 13, 1893.  
293L

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[House Bill No. 1670.]

#### AN ACT

To authorize the board of education of the village school district of Grover Hill, Paulding county, Ohio, to issue bonds to complete school-house and pay present indebtedness.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the village school district of

Grover Hill, Paulding county, Ohio, be and are hereby authorized to borrow money and issue bonds therefor, not exceeding three thousand dollars (\$3,000), for the purpose of completing school-house in and paying present indebtedness of said district; said bonds to be of such denominations as said board may deem proper and shall run for a period not exceeding ten (10) years, to bear interest not exceeding six per cent. per annum, payable semi-annually.

SECTION 2. Said board of education shall, annually thereafter, cause the necessary tax, in addition to that authorized by law, to be levied on the taxable property in said district, to pay the interest on said bonds and to pay the principal thereof as the same become due.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 18, 1893.  
306L

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[House Bill No. 1593.]

### AN ACT

To authorize the council of any incorporated village having a population by the last federal census, or any following federal census of not less than 1,875 or more than 1,885, to grant permits for the erection of iron stairways.

[PAULDING.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any incorporated village of the state of Ohio, having a population by the last federal census of not less than 1,875 nor more than 1,885, or which may have such population at any subsequent federal census, be and hereby are authorized to grant permission by resolution, to any one having property abutting on any alley, to erect and maintain iron bracket stairways against buildings erected on such abutting property, provided the same do not extend more than forty inches over such alley, and are erected and kept in a safe and substantial manner.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 20, 1893.  
319G

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[House Bill No. 1833.]

### AN ACT

To authorize Auglaize township, Paulding county, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the township trustees of Auglaize township, Paulding

county, are hereby authorized to transfer from the ditch fund of said township to the bridge fund any sum not exceeding three hundred dollars (\$300).

SECTION 2. This act shall take effect on its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 22, 1893.  
340L

## PERRY COUNTY.

[House Bill No. 1117.]

### AN ACT

To authorize the council of the village of New Straitsville, Perry county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of New Straitsville, Perry county, be authorized to transfer funds as follows: From the interest fund to the bonded debt fund, \$200; from the general fund to the bonded debt fund, \$100; from the police fund to the bonded debt fund, \$250; from the police fund to the road fund, \$750.

SECTION 2. This act to be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed January 31, 1893.  
35L

[House Bill No. 520.]

### AN ACT

To authorize the division of Harrison township, Perry county, into two voting precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That Harrison township be and the same is hereby divided into two voting precincts, as follows, to wit: Commencing on the east boundary of said township at the section line dividing sections twenty-one and twenty-eight, thence west on said section line to the west boundary of said township, then to terminate on boundary line between sections twenty-four and twenty-five. All of that part of said township lying north of said line to constitute one election precinct to be known as the Crooksville precinct. The elections of this precinct to be held in the village, Crooksville. All of that portion of said township lying south

of that line to constitute one election precinct to be known as the McLuney precinct. All elections in this precinct to be held in the village of McLuney.

SECTION 2. This act to be in effect on and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed March 17, 1893.

142L

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[House Bill No. 1517.]

### AN ACT

To authorize the board of education of the Corning school district, Perry county, Ohio, to levy an additional tax for school purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the Corning special school district, Perry county, Ohio, be and the same is hereby authorized to levy annually, in addition to that already allowed by law, a tax of not more than three (3) mills on each dollar of the assessed value of the taxable property of Corning special school district, for the support and maintenance of the public schools thereof.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed March 29, 1893.

217L

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[House Bill No. 1640.]

### AN ACT

To create a special school district in Salt Lick township, Perry county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That there is hereby created a special school district to be known as Hemlock special school district, and to be composed of the territory included within the following boundaries, viz.: Commencing at the corner of section twenty-four (24), township fourteen (14), range fifteen (15), Perry county; thence west three hundred and twenty (320) rods, thence north two hundred and thirty (230) rods, thence east one hundred and sixty (160) rods, thence north two hundred and fifty (250) rods, thence east eighty (80) rods, thence north one hundred and sixt



(160) rods, thence east eighty (80) rods, thence south six hundred and forty (640) rods to the point of starting.

SECTION 2. This act shall be in effect from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed March 29, 1893.

218L

[House Bill No. 1516.]

### AN ACT

To authorize the board of education of the Corning special school district, Perry county, Ohio, to borrow money and build a school-house therewith.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the Corning special school district in the county of Perry, state of Ohio, be and the same is hereby authorized to borrow the sum of fifteen hundred (\$1,500) [dollars,] to be used in the building and furnishing of a school-house at the Congo coal mines in said school district, and issue the bonds of said school district therefor, payable one fifth in one year, one fifth in two years, one fifth in three years, one fifth in four years, and one fifth in five years, September 1, 1893, which bonds shall bear a rate of interest not to exceed six per centum, payable annually, and shall be sold at not less than their par value, and said board is hereby authorized to levy upon all taxable property of said school district, in addition to all other taxes authorized by law, such rate as will provide for the payment of said bonds as the same become due.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,

*Speaker pro tem. of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed March 30, 1893.

221L

[House Bill No. 1599.]

### AN ACT

To authorize the commissioners of Perry county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Perry county, Ohio, be and they are hereby authorized to transfer the sum of three thousand dollars (\$3000.00) from the building fund to the county fund of said county.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 5, 1893.

149L

[ House Bill No. 1895.]

## AN ACT

To authorize the board of education of the school district of New Straitsville, Perry county, to levy an additional tax.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the members of the board of education of New Straitsville village school district, of New Straitsville, Perry county, be and they are hereby authorized to levy, in addition to the amount now allowed by law, a tax of not to exceed three (3) mills on the dollar of all taxable property of the school district, for the purpose of relieving present embarrassment caused by the closing of the bank of New Straitsville.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,  
*Speaker pro tem. of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 27, 1893.  
398L

## PICKAWAY COUNTY.

[Senate Bill No. 363.]

## AN ACT

To authorize the board of education of Deercreek township, Pickaway county, to issue bonds for the purpose of completing school building and to pay indebtedness.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of Deercreek township, Pickaway county, Ohio, be and is hereby authorized to borrow any sum of money not exceeding six thousand (\$6,000.00) dollars, for the purpose of completing school building in the Williamsport district of said township, and to pay existing indebtedness.

SECTION 2. That for the purposes aforesaid, the said board of education is hereby authorized and empowered to issue bonds, not exceeding six thousand (\$6,000.00) dollars in amount, in sums of not more than five hundred dollars, nor less than one hundred dollars, bearing interest not to exceed six (6) per cent. per annum, payable semi-annually; said bonds to be signed by the president and attested by the clerk of said board, and to be payable at such time or times, not more than ten years from the date of issue, as said board may determine. Said bonds shall be sold as provided by law, and for not less than their par value.

SECTION 3. Said board of education is hereby authorized and empowered to levy, in addition to the amount already authorized by law to be levied for school purposes, such tax as may be necessary to pay said bonds and interest at maturity.

SECTION 4. This act to take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed January 24, 1893.  
18L

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[Senate Bill No. 426.]

### AN ACT

To enable the board of education of Darbyville special school district of Pickaway county, Ohio, to borrow money and build a school-house.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of Darbyville special school district, Pickaway county, be and is hereby authorized and empowered to levy a tax upon all the taxable property of the special district not exceeding in the aggregate three thousand and five hundred (\$3,500.00) dollars, in addition to other levies for the support of the schools of the district, for the purpose of building a school-house in the village of Darbyville, in said county.

SECTION 2. That in anticipation of the levy as herein provided, the said board of education be and is hereby authorized and empowered to issue bonds in any amount, not exceeding three thousand and five hundred (\$3,500) dollars, in such denomination and for such length of time as the board may deem expedient, at a rate of interest not exceeding six per cent. per annum. Said bonds shall be signed by the president of said board of education and attested by the clerk, and shall be sold in pursuance of law.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed February 27, 1893.  
82L

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[Senate Bill No. 454.]

### AN ACT

To enable the trustees of Muhlenberg township, Pickaway county, to sell township lot.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Muhlenberg township, Pickaway county, Ohio, be and they are hereby authorized and empowered to sell the property owned by said township, situated in the village of Darbyville, and known as the "township lot," in such manner and upon such terms as

they may deem for the best interest of the township, and to make a deed therefor, the proceeds thereof to be used for township purposes.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 10, 1893.  
113L

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[Senate Bill No. 509.]

### AN ACT

To authorize the boards of education of Walnut township, Pickaway county, and Amanda township, Fairfield county, to borrow money and build a school-house in a joint subdistrict.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Walnut township, Pickaway county, Ohio, and the board of education of Amanda township, Fairfield county, Ohio, be and are each hereby authorized and empowered to borrow not exceeding fifteen hundred (\$1,500.00) dollars each, at a rate of interest not exceeding six per cent. per annum, for the purpose of building a school-house in the joint subdistrict formed from territory set apart from subdistricts numbers three (3) and four (4) in Amanda township, Fairfield county, and numbers one (1) and six (6) of Walnut township, Pickaway county, the cost of building said school-house to be apportioned in population to the enumeration of youth in the territory belonging to each. The said loans to be made in anticipation of the regular levy for school purposes in said Walnut and Amanda townships, for the year 1893, and to be paid from the proceeds of said levy when the same, or a sufficient part thereof, has been received by the treasurers of said townships.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 22, 1893.  
185L

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[Senate Bill No. 541.]

### AN ACT

To authorize the trustees of Deercreek township, Pickaway county, to transfer fund

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Deercreek township, Pickaway county, Ohio, be and are hereby authorized to transfer seven hundred dollars (\$700.00) from the cemetery fund to the township fund of said township.

**SECTION 2.** This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,  
*Speaker pro tem. of the House of Representatives,*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 12, 1893.  
278L

[Senate Bill No. 546.]

### AN ACT

To divide the township of Harrison, Pickaway county, into two election precincts.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Ohio,* That the township of Harrison, Pickaway county, Ohio, be divided into two election precincts, the dividing line to be the line between sections numbers thirteen (13) and fourteen (14), eleven (11) and twelve (12), one (1) and two (2), thirty-five (35) and thirty-six (36), twenty-five (25) and twenty-six (26), twenty-three (23) and twenty-four (24) and thirteen (13) and fourteen (14) in said township. All that portion of said township lying east of said dividing line shall be known and designated as the east precinct of Harrison township, the place of holding elections in said precinct of Harrison township to be in the village of Ashville; and all that portion of said township lying west of said dividing line shall be known and designated as the west precinct of Harrison township, the place of holding elections in said precinct to be in the village of South Bloomfield; provided, that but one assessor shall be elected for said township.

**SECTION 2.** This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives,*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 13, 1893.  
282L

[Senate Bill No. 551.]

### AN ACT

To establish the width of turnpikes in Pickaway county

**SECTION 1.** *Be it enacted by the General Assembly of the State of Ohio,* That the turnpike roads in Pickaway county, Ohio, now under the control of the commissioners of said county, including the free turnpike from the corporation line of the city of Circleville to the toll bridge across the Scioto river in Circleville township, which is hereby placed under the control of said commissioners shall be forty (40) feet in width, measuring twenty (20) feet each way from the center of the road as originally established; provided, that any of said turnpike roads having a side

track laid out at the time of the construction of said turnpike road, shall be forty-five (45) feet in width, measuring twenty-two and one-half (22½) feet from the center of the road as originally established.

SECTION 2. The commissioners of said county are hereby authorized to enforce the establishment of the width of said turnpike roads as herein provided, and if any fence is upon the limits of any of said roads, the commissioners shall give notice to the owner or owners to cause the said fence or fences to be removed within twenty days, and in case the removal is not made within the time specified, the commissioners may cause the removal of said fence or fences at the cost of the owner or owners, and if payment of the cost thereof is not made, or refused, the amount shall be assessed and collected as other taxes. Any person who places within the limits of any such roads any wood, stone or other obstruction, so as to interfere with the public travel, or prevents or interferes with the free passage of water in the side drains or ditches of any such roads, and, upon being notified by the commissioners to remove such obstruction, neglects or refuses to comply with such requirements within ten days from the service of such notice, he shall forfeit and pay to and for the benefit of the turnpike fund of the county a sum not less than three nor more than ten dollars for each and every day he permits such obstruction to remain upon such road after the expiration of ten days from the service of such notice, which sum shall be recoverable by action in the name of the commissioners before any justice of the peace of the township where the obstruction is placed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,

*Speaker pro tem. of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 14, 1893.

299L

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[Senate Bill No. 553.]

### AN ACT

To authorize the commissioners of Pickaway county to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Pickaway county, Ohio, be and they are hereby authorized to permanently transfer ten thousand five hundred dollars (\$10,500.00) from the bridge fund, and four thousand five hundred dollars (\$4,500.00) from the turnpike repair fund to the county fund of said county.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,

*Speaker pro tem. of the House of Representatives*

ANDREW L. HARRIS,

*President of the Senate*

Passed April 14, 1893.

300L

## PIKE COUNTY.

[House Bill No. 1441.]

## AN ACT

To authorize the commissioners of Pike county to build a certain road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Pike county hereby are authorized, when all other free turnpikes authorized to be built are paid for, and the resident landowners along the route of road hereinafter named shall secure to the county the right of way, and all the earth, gravel and stone necessary to the construction of said road free of cost and expense to the county, to construct a free turnpike along the following route, to wit: Beginning at a point in the center of the Waverly and Coopersville turnpike in Newton township, Pike county, at the lower end of the basin known as the "Ghost Orchard" basin, and running thence [by] the most practicable route up the north side of the Sunfish valley, crossing Sunfish creek on the county bridge at its present location, passing through Pike post-office, and continuing thence in a northerly direction, following the old road as nearly as practicable with said Sunfish valley until it intersects the Chenoweth's fork turnpike near Alexander's bridge.

SECTION 2. That in case the said county commissioners should determine to build said road, they are hereby authorized to cause the county bridge now across the Ohio canal at the mouth of Sunfish creek to be removed to the beginning point named in section 1 and cause the same to be placed across the canal at that point.

SECTION 3. That for the purpose of building said road and to obtain the money therefor, the commissioners shall have the right when they have determined to build said road, to issue the bonds of said county, not to exceed one thousand two hundred dollars per mile, and in such denominations as may be best, but not in denominations less than one hundred dollars, payable at such dates and times as the commissioners may deem best, to bear interest at a rate not greater than six per cent. and which bonds shall be sold according to law.

SECTION 4. That to pay said bonds and interest thereon as the same may become due, said board of commissioners are hereby authorized to levy a tax not to exceed one mill on the dollar annually, of the taxable property of said county.

SECTION 5. That in performing the duties required of the commissioners under this act all duties not herein expressly set forth shall be governed by the general laws of the state regulating the building of free turnpikes.

SECTION 6. This act to take effect and be force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 13, 1893.  
283L

[House Bill No. 1368.]

## AN ACT

To authorize the commissioners of Pike county to build a certain road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Pike county are hereby authorized, when all other free turnpikes authorized to be built are paid for and the resident landowners along the route of road hereinafter named shall secure to the county the right of way, and all the earth, gravel and stone which shall be necessary to the construction of said road free of cost to the county, to construct any part or all of said road, and for such purpose they are authorized to employ, at a reasonable compensation, a competent engineer or superintendent to superintend the building of same, and along the following route, to wit: Beginning in the Chenoweth's fork turnpike at or near the Chenoweth's fork bridge and running as near as practicable with the county road to the Victory school-house; thence from said point along the county road to Hatch's post-office a distance of five miles.

SECTION 2. Said road shall not be more than sixty nor less than forty feet in width, and shall be turnpiked with earth at least twenty feet in width so as to drain freely to the side, and raised with stone or gravel, or both, not less than twelve nor more than sixteen feet in width, and not less than twelve inches nor more than sixteen inches in depth, in such a manner as to secure an even and durable road, and the grade of ascent or descent shall in no case be greater than seven (7) degrees; and said road shall be provided with all necessary side drains, water-ways, culverts and bridges.

SECTION 3. That for the purpose of building said road, and to obtain the money therefor, the commissioners shall have the right, when they have determined to build said road, to issue the bonds of said county, not to exceed eighteen hundred dollars for each mile determined by them to be built, and in such denominations as may be best, but not in denominations less than one hundred dollars, payable at such dates and times as the commissioners may deem best, to bear interest at a rate not greater than six per cent., payable semi-annually, and which bonds shall be sold according to law.

SECTION 4. That to pay said bonds and the interest thereon as the same may become due, said board of commissioners are hereby authorized to levy a tax not to exceed one mill on the dollar annually, of the taxable property of said county.

SECTION 5. That in performing the duties required of the county commissioners under this act, all duties not herein expressly set forth shall be governed by the general laws of the state regulating the building of free turnpikes.

SECTION 6. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives*  
ELBERT L. LAMPSON,  
*President pro tem. of the Sen.*

Passed April 13, 1893.  
289L



## PORTAGE COUNTY.

[House Bill No. 1118.]

## AN ACT

To create road supervisors in certain counties, and to require the letting of certain portions of road work by contract.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That any county in this state having at the last federal census a population of 27,850, or which at any subsequent federal census may have a population not to exceed 27,875, the trustees of any township may, on the 13th day of March, A. D. 1893, divide the respective townships into road districts, not to exceed four in any one township, and at their regular meeting on the first Monday of March, annually thereafter, may make such alterations as they may deem proper, and there shall be elected on the first Monday of April, A. D. 1893, and biennially thereafter, one supervisor for each district by the electors thereof, who shall hold his office for two years and until his successor is elected and qualified; and where the election is in common with a municipal corporation the vote for supervisor shall be taken in a separate ballot-box, furnished by the township trustees for such purpose, and only those electors shall be entitled to vote who reside within the proposed road district. Each supervisor, within five days after his election, shall take an oath or affirmation to faithfully, honestly and impartially discharge all the duties of his office, and shall enter into bonds payable to the state of Ohio, in trust for the township, in the penal sum of not less than five hundred dollars, with surety to be approved by the township trustees, conditioned to fulfill the requirements of said oath or affirmation; said bonds to be recorded by the township clerk, and when forfeited in whole or in part, to be collected with the costs, by the trustees in a civil action, and money so collected shall go into the road fund of the township, to be expended as other road moneys; provided, however, that in all townships comprised in a single road district, the trustees may direct that no election for supervisor be held until the expiration of the term for which the present incumbent was elected.

SECTION 2. If the supervisor of any road district shall, by wilful neglect of duty or malfeasance in office, forfeit his bond or any part thereof, or shall prove incompetent to properly fulfill the duties of the office, he may be removed by the township trustees, and it shall be the duty of the trustees, on proof of such neglect, malfeasance or incompetence, in a suit brought before a justice of the peace of the township, to declare the office vacant; and in case of vacancy in the office by any cause, the trustees in the township where such vacancy occurs shall appoint a suitable person to fill the same for the unexpired term, and the person so appointed shall, before entering upon his duties, take an oath or affirmation, give bonds, and be under the same restrictions and penalties provided for in this act.

SECTION 3. The duties of supervisor shall be as follows: To open, or to cause to be opened, all public roads and highways which shall be laid out and established in his district, and to maintain the proper legal width and location of the same; to keep the same in good repair and make, from time to time, such permanent improvements by grading, draining,

graveling or macadamizing, as the tax for road purposes will warrant; to remove or cause to be removed forthwith, all obstructions that may be found thereon; to complete the work of grading and ordinary repairs between the first day of April and the twentieth day of June of each year, and to complete within a reasonable time after having been commenced all repairs and improvements in a smooth and workmanlike manner, and in good condition for all kinds of public travel and to grade, or cause to be graded and leveled off, the earth and gravel that may be scraped, shoveled or hauled into any public road under his direction or charge at the time such work is performed; and when the supervisor has knowledge that Canada thistles are growing on land in his road district he shall forthwith give notice to the owner or occupant of said land who shall at once proceed to kill and destroy the same, and if at the end of thirty days from such notice such owner or occupant shall have failed to have proceeded to kill and destroy said Canada thistles, the supervisor shall at once proceed to kill and destroy said Canada thistles, or cause the same to be done. And if the owner or owners of land along said public roads and highways shall fail to cut down and destroy all weeds, burs, bushes and briers growing in the public highways against their lands, before the 15th of August of each year, then the supervisor shall at once proceed to cut down or cause to be cut down and destroy all such weeds, burs, bushes and briers that may be found standing after the 15th of August of each year, and the same to be paid for out of any road or township funds not otherwise appropriated, and the trustees of said township shall make or furnish a statement of the cost of cutting and destroying said weeds, burs, bushes and briers, and Canada thistles, together with the name of the owner or person holding the title of the lands along whose roadsides said weeds, burs, bushes and briers have been cut and destroyed by said supervisors, to the auditor of said county, who shall enter the costs upon the duplicate against the land upon which the weeds, burs, bushes and briers and Canada thistles have been cut and destroyed, which shall be collected as other taxes and return it with the road fund of said township. But no supervisor shall cut down or molest any of the shade trees growing upon the highways, unless so ordered by the township trustees.

SECTION 4. Supervisors shall cause to be erected and kept in repair at the principal forks and cross roads within their respective districts leading to some village, depot or other important place, a post and guide board, containing a legible inscription directing the way and naming the distance to the village or public place or places situate on each of such roads, and shall provide and maintain, where feasible and desirable, suitable watering troughs and places for procuring water for persons and animals on the public highways; and shall remove or cause to be removed, timber or drift lodged against bridges or abutments of the same, in a manner to endanger or damage the structure, but it shall not apply to toll-bridges, or bridges upon toll-roads.

SECTION 5. Supervisors shall order out or cause to be ordered out, annually, between the first day of April and the first day of July, every person liable to perform the two days' labor in his district, to do and perform such labor upon the public highways, but no person shall be required to perform such labor at a distance of more than one and one-half miles from his place of residence, and for the above purpose the residence of any person who has a family shall be held to be where his family resides, and the residence of any other person shall be held to be where he resides.

**SECTION 6.** Supervisors shall let by contract under written specifications such portions of public roads for ordinary repairs or for grading, underdraining, graveling or macadamizing, as the trustees shall direct; and the work of ordinary repairs shall be done between the first day of April and the twentieth day of June of each year, except scraping the roads, which may be done at any time when it shall be deemed necessary by the supervisor or trustees, but before letting any contract for grading, underdraining, graveling or macadamizing, any one job of which will, in his judgment, exceed in cost the sum of fifty dollars, he shall make careful estimate of the cost, to be approved by at least two of the township trustees; and if necessary for this purpose, he may employ a competent engineer, and shall advertise the letting of the work at least twenty days, specifying the width, height and pitch of grade, depth and width of gravel or stone to be applied, and other necessary particulars and specifications, and let the same to the lowest responsible bidder, taking from him a bond in a sum fixed by them payable to the state, with good sureties for the performance of the work within a time therein specified, and in accordance with full written specifications, a copy of which bond and specifications shall be filed with the township clerk, but no bid shall be accepted which exceeds the estimated cost, and the supervisor may reject any or all bids, and it may be a condition of the contract that persons owing the two days' labor, and whose names are specified therein, may work out the same under the direction of the contractor, such work to be received and accounted for as a part in payment of the contract price. And it also shall be a condition of the contract that persons that pay a road tax or assessment of property, and who may live within one and one-half miles of where the work is to be performed, shall have preference in the employment of labor to complete the contract, such work to be performed at a time agreed upon by the contractor, and at the same rate per day as the contractor pays in cash for similar labor on any such contract, but all such contracts shall be submitted to the township trustees and approved by them.

**SECTION 7.** Supervisors shall expend the money collected by them, in lieu of the two days' labor for the benefit of the roads in their respective districts, and shall keep an itemized account in a book of record, to be furnished by the trustees and given over to their successors in office, of all moneys received and paid out by them, and shall report to the trustees of their townships at the annual settlement on the first Monday in March, a detailed statement of their official transactions, including the amount of labor and by whom performed, when and where expended, time and date of their own services, and they shall return a full and true list of the names of all persons within their respective districts who have been ordered out to perform the two days' labor, and of those who have refused or neglected to perform the same; and all fines and forfeitures sued for and recovered under the provisions of this chapter shall be paid by the justice of the peace or constable collecting the same, into the township road fund, and supervisors shall also render an account to the trustees at the annual settlement, of all moneys that remain in their hands at the time of settlement, and all judgments that remain unpaid, with the names of the judgment debtors and the justice before whom such judgments were obtained, with the amount of each, and the trustees shall make such order as to the prosecution of suits by the supervisor against such delinquent as in the judgment of the trustees the interests of the township may require.

SECTION 8. All money that may remain in the hands of the supervisor at the expiration of his term of office, shall be paid over to his successor, with a full statement of his official transactions from and after the time of his annual settlement with the township trustees, as soon as such successor shall be elected and qualified, taking a receipt therefor, said receipt to be deposited with the township clerk, and said statement shall be made a part of the account rendered by his successor at the next annual settlement with the township trustees, and any supervisor may sue out executions on any judgments that remain unpaid, at any time when, in his opinion, the same can be collected.

SECTION 9. The trustees, treasurer and supervisor of roads shall meet annually on the first Monday of March, at the place of holding township meetings, and the trustees shall proceed to examine the itemized account of the treasurer and supervisor, and settle the same and all other claims against the township not before settled.

SECTION 10. It shall be the duty of the trustees to purchase improved implements for road making in sufficient quantity for the use of the township, and the same shall be used exclusively for that purpose, and the cost, on their order, shall be paid out of any money in the township treasury not otherwise appropriated, and should there be a lack of funds the trustees may levy an additional tax for that purpose, not to exceed one hundred dollars in any one year, and such improved implements shall be for the use of contractors and supervisors in the making and repairing roads within the township, and the supervisor shall be held responsible for the good usage of the same, and shall take care of them and preserve them when they are not in use.

SECTION 11. Supervisors, when authorized by the trustees, shall grade sidewalks, and when deemed necessary, to construct foot bridges over streams of water on the line of roads in their districts, and any portion of the two days' labor may be used for this purpose.

SECTION 12. Supervisors shall be entitled to a per diem not to exceed two dollars for each day actually employed, the same to be paid on the order of the trustees out of the road or township fund, and they shall not exceed in expenditures for road purposes in any one year the amount of road fund for that year, except in cases of unforeseen damage by flood or otherwise.

SECTION 13. The township trustees shall, in addition to the two days' labor, determine a per centum to be levied for road purposes upon each dollar of valuation of the taxable property of their respective townships, exclusive of any incorporated village, as follows: In townships having a valuation of taxable property of one million dollars and over, not exceeding three mills on each dollar; in townships having a valuation of less than one million and more than five hundred thousand dollars, any rate not exceeding four mills on each dollar; and in townships having less than five hundred thousand dollars' valuation, any rate not exceeding five mills on each dollar; and said trustees shall certify the same to the county auditor in writing on or before the 15th day of May of each year; and the county auditor shall assess the same on all taxable property in said township road district, and the same shall be collected, one half in the December instalment and one-half in the June instalment by the county treasurer, and paid over by him to the treasurer of the township from which said taxes were collected, the same to be expended for the improvement of roads in the township road districts where

collected; and said trustees shall annually set apart such portion of the road tax as they deem best in payment of contracts for permanent improvement of the roads by draining, grading, graveling, or macadamizing.

SECTION 14. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed February 15, 1893.  
53G

[House Bill No. 1369.]

### AN ACT

To amend section 1 of an act entitled "An act to create road supervisors in certain counties and to require the letting of certain portions of road work by contract," passed February 15, 1893.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in any county in this state which at the last federal census had or which at any subsequent federal census may have a population of not less than 27,850 nor more than 27,875, the trustees of any township may, on the 13th day of March, A. D. 1893, divide the respective townships into road districts, not to exceed four in any one township, and at their regular meeting on the first Monday of March, annually thereafter, may make such alterations as they may deem proper, and there shall be elected on the first Monday of April, A. D. 1893, and biennially thereafter, one supervisor for each district by the electors thereof, who shall hold his office for two years and until his successor is elected and qualified; and where the election is in common with a municipal corporation the vote for supervisor shall be taken in a separate ballot-box, furnished by the township trustees for such purpose, and only those electors shall be entitled to vote who reside within the proposed road district. Each supervisor, within five days after his election, shall take an oath or affirmation to faithfully, honestly and impartially discharge all the duties of his office, and shall enter into bonds payable to the state of Ohio, in trust for the township, in the penal sum of not less than five hundred dollars, with surety to be approved by the township trustees, conditioned to fulfill the requirements of said oath or affirmation; said bonds to be recorded by the township clerk, and when forfeited in whole or in part, to be collected with the costs, by the trustees in a civil action, and moneys so collected shall go into the road fund of the township, to be expended as other road moneys; provided, however, that in all townships comprised in a single road district, the trustees may direct that no election for supervisor be held until the expiration of the term for which the present incumbent was elected.

SECTION 2. That said original section one is hereby repealed and this act shall take effect on its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed March 1, 1893.  
84G

[House Bill No. 1345.]

## AN ACT

To authorize the council of any incorporated village which contained at the federal census of 1890, or which at any subsequent federal census may contain a population of not less than 1,042 nor more than 1,049, to issue and sell bonds for street improvements.

[GARRETTSVILLE.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any incorporated village which contained at the federal census of 1890, or which at any subsequent federal census may contain a population of not less than 1,042 nor more than 1,049, be and is hereby authorized to levy a tax for the purpose of making permanent street improvements in said village and to issue bonds therefor, at a rate of interest not exceeding six per cent. per annum, payable semi-annually, which bonds shall not be sold for less than the par value thereof.

SECTION 2. Before such street improvement is made and such tax is levied and such bonds are issued, the same shall be approved at any regular April election held in such village, by a majority of the electors voting at such election; provided that in the resolution submitting such proposition to the electors, the council shall specify what streets, or parts thereof, are to be improved; what the proposed improvement is; and what the rate of taxation on each dollar of all taxable property in such village is to be; and provided, further, that before such election, such resolution shall be published for two consecutive weeks in a newspaper of general circulation in such village and a certificate of such publication shall be recorded by the clerk of said village.

SECTION 3. The rate of levy, stated in any one resolution submitting said proposition aforesaid, shall not exceed for any year two (2) mills on each dollar of all taxable property in said village, but no more than one proposition shall be submitted at any election.

SECTION 4. The tax so levied shall be known as "the street improvement fund" and said fund shall be exclusively for the payment of said bonds and the interest thereon.

SECTION 5. The repair of streets so improved shall be made by the council as of unimproved streets and paid out of the funds set apart for general street purposes.

SECTION 6. This act shall take effect on its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed February 28, 1893.

77G

## PREBLE COUNTY.

[For act relating to sale of school lands see Hamilton county; also for act relating to College Corner see Butler county.]

[House Bill No. 1520.]

## AN ACT

To authorize the council of the village of Eaton, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Eaton, Preble county, Ohio

be and is hereby authorized to transfer \$700.00 from the police fund and place \$100.00 of the same to the street improvement fund and \$600.00 of the same to the general fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 22, 1893.  
182L

[House Bill No. 1834.]

### AN ACT

To authorize the commissioners of Preble county to levy a tax and issue bonds to provide for deficiency in county fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Preble county, Ohio, for the purpose of providing for deficiencies in the county funds of said county, arising from insufficient levies for county purposes, be and they are hereby authorized to levy, annually hereafter, upon all the taxable property of said county, a tax not to exceed four-tenths of one mill, on the dollar, in addition to the taxes now authorized by law for ordinary county purposes of said county.

SECTION 2. To provide for the present deficiency in the county fund of said county said commissioners may anticipate the levy provided in section one and are hereby authorized to issue the bonds of said county, to such amount as may be necessary for the purpose named, but not to exceed ten thousand dollars (\$10,000). Said bonds shall bear interest at a rate not exceeding five (5) per cent. per annum, interest payable semi-annually, and shall be issued, signed and sold according to law, in such sums as the commissioners may determine, but shall not be sold for less than their par value; said bonds to be paid within 4 years from the date thereof, at the discretion of said commissioners.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 24, 1893.  
363L

[House Bill No. 1880.]

### AN ACT

To authorize the council of any village of this state having at the last federal census a population of not less than 575 nor more than 600, to issue and sell bonds of such village for the purpose of supplying such village with a system of public water-works.

[WEST ALEXANDRIA.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any village of this state having according to

the last federal census a population of not less than 575 nor more than 600 be and the same hereby is authorized to issue bonds of such village in an amount not exceeding \$25,000.00, to sell the same and apply the proceeds thereof in providing such village with a system of public water-works.

SECTION 2. Said bonds shall be issued in such denominations and payable at such time or times, not exceeding thirty years, as such council may provide by ordinance. Said bonds shall bear interest at a rate not exceeding six (6) per centum per annum from date of issue, payable semi-annually, and they shall not be sold for less than their par value. They shall be signed by the mayor and countersigned by the clerk and authenticated by the seal of such village.

SECTION 3. The proceeds realized from the sale of such bonds shall be used by the council of such village for the purpose of purchasing the necessary grounds, for purchasing the right to use, or divert water brought from any spring, and for purchasing the necessary right of way from any such spring to such village, or for digging the necessary wells or cisterns, and for constructing and maintaining a system of water-works for such village.

SECTION 4. For the payment of said bonds and accruing interest thereon, such council shall at the time of making other annual levies, levy a tax on all the taxable property of such village, sufficient in amount each year to pay the bonds falling due that year and the interest accrued.

SECTION 5. Before said bonds shall be issued or said tax levied, the question of issuing said bonds and the levying of a tax thereof shall be submitted to a vote of the electors of such village, at either a general or special election called for that purpose, as the council of such village may by ordinance declare. Notice of such election shall be for thirty days in such manner as such council may by resolution provide; said notice shall state the amount of bonds to be issued, the purpose for which the same is to be used, and the time and place of holding such election. Those who vote in favor of the issuance of said bonds, shall have printed on their ballots the words "For the issue of bonds for water-works;" and those who vote against the same, shall have printed on their ballots the words "Against the issue of bonds for water-works." If the proposition to issue such bonds is approved by a majority of all the votes cast at such election, the council shall have authority to issue such bonds.

SECTION 6. If such vote should be adverse to such proposition, then said question may be resubmitted at any subsequent annual election, or special election called for that purpose, whenever a petition addressed to such council and signed by at least twenty-five (25) of the electors of such village asking for a resubmission of such question to the voters of such village.

SECTION 7. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,

*Speaker pro tem. of the House of Representatives*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed April 27, 1893.

440G



## PUTNAM COUNTY.

[House Bill No. 1041.]

## AN ACT

To authorize the board of education of the first special school district of Monterey township, Putnam county, to levy additional tax.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the first special school district of Monterey township, Putnam county, be and the same is hereby authorized to levy an additional tax, annually, for a period not to exceed ten years, on all the taxable property within said district, not to exceed three mills on the dollar, in addition to the levy now authorized by law, the same to be collected as other taxes, for the purpose of building and furnishing a new school-house in said district.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,  
*Speaker pro tem. of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed February 17, 1893.  
71L

[House Bill No. 1399.]

## AN ACT

To authorize the trustees of Ottawa township, Putnam county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Ottawa township, in Putnam county, in the state of Ohio, be and they are hereby authorized to transfer the sum of eighteen hundred dollars (\$1,800.00) from the road improvement fund to the special road repair fund, and three hundred dollars (\$300.00) from the bridge fund to the special road repair fund of said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 1, 1893.  
94L

[House Bill No. 1253.]

## AN ACT

To authorize the trustees of Van Buren township, Putnam county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Van Buren township, Putnam county, in the state of Ohio, be and they are hereby authorized to transfer the sum

of four hundred dollars (\$400.00) from the road improvement fund to the general fund, and one hundred dollars from the road improvement fund to the road fund of said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed March 2, 1893.

99L

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[House Bill No. 1466.]

### AN ACT

To authorize the village of West Leipsic, Putnam county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village council of the incorporated village of West Leipsic, Putnam county, Ohio, be and they are hereby authorized to transfer two hundred and eighty-two dollars and ninety-six cents (\$282.96) from the sewer fund, forty-seven dollars and thirty-six cents (\$47.36) from the police fund, ten dollars and seventy-two cents (\$10.72) from the sanitary fund, seventy dollars and seventy-seven cents (\$70.77) from the sidewalk fund, fourteen dollars and thirty-three cents (\$14.33) from the street lighting fund, and one hundred and fifty-five dollars and seventy-two cents (\$155.72) from the general borough fund to the general fund of said village.

SECTION 2. This act to take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed March 22, 1893.

161L

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[House Bill No. 1535.]

### AN ACT

To divide Pleasant township, south precinct, Putnam county, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That Pleasant township, south precinct, county of Putnam, in the state of Ohio, as divided by act of legislature, passed April 23rd, A. D. 1891 (vol. 88, page 833, O. L.), be and the same is hereby divided into two election precincts on the lines following: Commencing at the section line between sections sixteen (16) and twenty-one (21), at the place where the Dayton and Michigan railroad crosses said section line, and running thence southwesterly along and upon the center of said railroad to a point in the village of Columbus Grove, Putnam county, Ohio.

where said railroad intersects the center of the Kenton and Kalida road; thence in a southeasterly course along and upon the center of said Kenton and Kalida road to the Allen and Putnam county line. All that part of said territory in said south precinct of said township lying east and north of said lines to be known as "precinct A of the south precinct of Pleasant township," with the voting place at the village of Columbus Grove in said township; and all that part of said territory in said south precinct of said township lying west and south of said lines to be known as "precinct B of the south precinct of Pleasant township," with the voting place at the village of Columbus Grove in said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 22, 1893.  
168L

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[House Bill No. 1536.]

## AN ACT

To divide Ottawa township, east precinct, Putnam county, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That Ottawa township, east precinct, Putnam county, in the state of Ohio, be and the same is hereby divided into two election precincts on the line following: Commencing at a place on the north and south half section line of section twenty-eight (28), Ottawa township, Putnam county, Ohio, where the same crosses Main cross-street of the village of Ottawa, Ohio; thence east on said Main cross-street to Oak street, in said village; thence north on said Oak street to the center of the Findlay, Ft. Wayne and Western railroad; thence east on the center line of the Findlay, Ft. Wayne and Western railroad to the east line of said township. All of the territory in said precinct of said township lying north and west of said line to be known as "precinct A of the east precinct of Ottawa township," with the voting place at the village of Ottawa; and all of the territory in said precinct of said township lying south and east of said line to be known as "precinct B of the east precinct of Ottawa township," with the voting place at the village of Ottawa, Ohio.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed March 22, 1893.  
169L

[House Bill No. 1537.]

## AN ACT

To divide Monroe township, Putnam county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That Monroe township, Putnam county, in the state of Ohio, be and the same is hereby divided into two election precincts on the line following: Commencing on the south line of said township on the section line between sections thirty-five (35) and thirty-four (34); thence north on said section line between sections thirty-four (34) and thirty-five (35), twenty-six (26) and twenty-seven (27), twenty-two (22) and twenty-three (23), to the half section line of said section twenty-two (22); thence west upon said half section line to the west side of section twenty-two (22); thence north on the section line between sections twenty-one (21) and twenty-two (22), fifteen (15) and sixteen (16), to the southeast corner of section nine (9); thence west on the section line between sections nine (9) and sixteen (16), to the southwest corner of section nine (9); thence north on the section line between sections eight (8) and nine (9), four (4) and five (5), to the north line of said township. All of the territory in said township lying east and north of said line to be known as "Monroe township, east precinct," with the voting place at Marice City or Continental in said township; and all of the territory in said township lying west and south of said line to be known as "Monroe township, west precinct," with the voting place at Marice City or Continental in said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed March 22, 1893.

170L

[House Bill No. 1538.]

## AN ACT

To authorize the trustees of Jennings township, Putnam county, Ohio, to issue bonds for the purpose of purchasing material to improve and macadamize the public highways in said township and to levy additional tax.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Jennings township, Putnam county, Ohio, be and the said trustees are hereby authorized to issue the bonds of said township, not exceeding in amount six thousand dollars (\$6,000.00), and to sell the same at not less than their par value, and use the proceeds thereof for the purpose of purchasing material for macadamizing and improving the public highways in said township, and for no other purpose.

SECTION 2. Said bonds shall be in such denominations, and payable at such times and places, as the said board of township trustees may deem judicious, and shall bear interest at a rate not exceeding six per

cent. per annum from the date of issue, payable annually. Said bonds shall be signed by the trustees of the township and countersigned by the clerk.

SECTION 3. That the trustees of said Jennings township, Putnam county, Ohio, be and the same are hereby authorized to levy annually an amount not exceeding two (2) mills in any one year upon the dollar of all the taxable property in said township, in addition to that now authorized by law, for the purpose of constructing improved roads in said township, and to pay the bonds provided for in sections 1 and 2 of this act, when the same become due and payable, with the interest thereon.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed March 22, 1893.

171L

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[House Bill No. 1442.]

AN ACT

To create and establish Cloverdale special school district in Perry township, Putnam county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That there be and is hereby created and established the Cloverdale special school district in Perry township, Putnam county, Ohio, for school purposes. That said special district shall include the following territory, to wit: The whole of sections numbers nineteen (19), twenty (20), twenty-nine (29) and thirty (30), and so much of sections numbers twenty-one (21), twenty-seven (27) and twenty-eight (28) as lies west of the Auglaize river, all in town one (1) north, of range five (5) east, Perry township, Putnam county, Ohio, and the said territory above described, when so constituted and organized, shall be known as "Cloverdale special school district," in Perry township, Putnam county, Ohio.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 22, 1893.

181L

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[House Bill No. 1534.]

AN ACT

To authorize Cloverdale special school district, Perry township, Putnam county, to issue and sell bonds for purposes therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of "Cloverdale special school dis-

trict," in Perry township, Putnam county, Ohio, be and they are hereby authorized to issue and sell the bonds of said district in an amount not to exceed two thousand dollars (\$2,000.00), for the purpose of procuring a site, building and furnishing a school-house in said district.

SECTION 2. Said bonds shall be issued in denominations of one hundred dollars (\$100.00) each, and shall run not to exceed ten years from the date of issue. Said bonds shall be signed by the president and clerk of said board, and shall bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, and shall not be sold for less than their face value. The principal and interest of said bonds shall be made payable at the banking house of A. V. Rice & Co., Ottawa, Ohio, and shall have interest coupons attached.

SECTION 3. For the purpose of meeting the principal and interest of said bonds, said board of education shall levy annually such amount as may be necessary in addition to that now authorized by law.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed March 23, 1893.  
203L

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[House Bill No. 1533.]

### AN ACT

To authorize the incorporated village of Columbus Grove, Putnam county, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village council of the incorporated village of Columbus Grove, Putnam county, Ohio, be and they are hereby authorized to transfer one thousand (\$1,000.00) dollars from the sewer fund to the general fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed March 23, 1893.  
204L

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[House Bill No. 1642.]

### AN ACT

To authorize the incorporated village of Columbus Grove, Putnam county, Ohio to issue bonds and levy a tax, the money arising from the same to be used for the purchase of real estate and building a town hall.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Columbu

Grove, in the county of Putnam, Ohio, be and the same is hereby authorized to issue the bonds of said village in an amount not exceeding eight thousand dollars, as hereinafter provided, for the purposes following, to wit: To purchase real estate and build thereon a town hall in said village of Columbus Grove.

SECTION 2. Said bonds shall be of such denominations, payable at such times not less than five years from the date of issue, and bear interest at such rate not exceeding six per cent., payable semi-annually, as the council of said village may direct; but said bonds shall not be sold for less than their par value.

SECTION 3. For the purpose of paying said bonds and the interest thereon as the same may become due, the said council is hereby authorized to levy a tax on all the taxable property of said village in addition to that authorized by law, to such amount each year as shall be necessary for the payment of the principal and interest of said bonds.

SECTION 4. Before the said council shall have authority to issue said bonds and levy said tax, the question of such issue and levy shall first be submitted to the voters of said village at a regular or special election held for that purpose. Such election shall be held in the same manner and at the same place or places where elections are generally held in said village; notice thereof shall be given by publication in a newspaper printed in and of general circulation in said village, for two consecutive weeks prior to said election, and the date of the last publication thereof shall be deemed to complete such publication. Those electors who favor the issue of such bonds and the levy of such tax shall have written or printed on their ballots the words "Issue of bonds—Yes;" and those who are opposed to such issue and levy shall have written or printed on their ballots the words "Issue of bonds—No;" and if a majority of the votes cast upon the question at such election are in favor of the issue of such bonds, the council of said village shall be authorized to issue such bonds and make said levy for the purposes aforesaid.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 5, 1893.  
234L

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[ House Bill No. 1539.]

### AN ACT

For the relief of the sureties on the official bond of Wilson Frantz, late treasurer of the Gilboa village school district of Putnam county, Ohio.

WHEREAS, On and prior to September 1, A. D. 1891, Wilson Frantz was the treasurer of the Gilboa village school district in the county of Putnam and state of Ohio; and

WHEREAS, As such treasurer he had and held the sum of \$484.33 for said village district; and

WHEREAS, Said funds became and were misappropriated and applied by said treasurer and the officers of said village district; and

WHEREAS, Numerous cases are now pending in the courts of said county respecting said funds and the application thereof, and others are threatened; and

WHEREAS, The majority of the citizens of said village district desire to right the wrong so done to the treasurer and his bondsmen by reason thereof, and to avoid such litigation and expenses thereof,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of Gilboa village school district, in Putnam county, Ohio, shall, at a regular or special election, due notice of which shall be given for fifteen days, submit to the qualified electors of said village district the proposition to relieve and release the sureties on the official bond of Wilson Frantz as such district treasurer. And if such proposition carries by the majority of the electors voting on such proposition at such election, then the sureties on the official bond of the said Wilson Frantz, as treasurer aforesaid, shall be then and thereafter wholly relieved and released from the payment to said village district or to the officers thereof of the said sum of four hundred and eighty-four dollars and thirty-three cents (\$484.33). The ballots voted at such election shall have written or printed thereon the words following: "For relief and release of the sureties of Wilson Frantz—Yes;" "For relief and release of the sureties of Wilson Frantz—No." A majority of the votes cast at said election shall be necessary to carry said proposition.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 18, 1893.  
304L

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[House Bill No. 1541.]

## AN ACT

For the relief of the sureties on the official bond of Wilson Frantz, late treasurer of the board of education of Blanchard township, Putnam county, Ohio.

WHEREAS, On and prior to September 1, A. D. 1891, Wilson Frantz was the treasurer of the board of education of Blanchard township, in the county of Putnam and state of Ohio; and

WHEREAS, As such treasurer has [he] had and held the sum of \$2,156.18 for said board of education; and

WHEREAS, Said funds became and were misappropriated and applied by said treasurer and the officers of said board of education; and

WHEREAS, Numerous cases are now pending in the courts of said county respecting said funds and the application thereof, and others are threatened; and

WHEREAS, The majority of the citizens desire to right the wrong done to the treasurer and his bondsmen by reason thereof, and to avoid such litigation and expenses thereof.



**SECTION 1.** *Be it enacted by the General Assembly of the State of Ohio,* That the board of trustees of said Blanchard township, Putnam county, Ohio, shall, at a regular or special election, due notice of which shall be given for fifteen days, submit to the qualified electors of said township the proposition to relieve and release the sureties on the official bond of said Wilson Frantz as such treasurer of the board of education of said township, and if such proposition carries by a majority of the electors voting on such proposition at such election, then the sureties on the official bond of the said Wilson Frantz as treasurer aforesaid, shall be then and thereafter wholly relieved and released from the payment to said township board of education or the officers thereof for the said sum of two thousand one hundred and fifty-six dollars and eighteen cents (\$2,156.18). The ballots voted at such election shall have written or printed thereon the words following: "For relief and release of the sureties of Wilson Frantz—Yes;" "For relief and release of the sureties of Wilson Frantz—No." A majority of the votes cast at said election shall be necessary to carry said proposition.

**SECTION 2.** This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 18, 1893.  
305L

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[House Bill No. 1791.]

### AN ACT

To authorize the trustees of Union township, Putnam county, Ohio, to transfer funds.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Union township, in Putnam county, in the state of Ohio, be and they are hereby authorized to transfer the sum of three hundred and fifty dollars (\$350.00) from the bridge fund to the township fund, one hundred and twenty dollars (\$120.00) from the bridge fund to the road fund of said township, and two hundred and thirty dollars (\$230.00) from the bridge fund to the township indebtedness fund of said township.

**SECTION 2.** This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 18, 1893.  
312L

[House Bill No. 1540.]

## AN ACT

For the relief of the sureties on the official bond of Wilson Frantz, late treasurer of Blanchard township, Putnam county, Ohio.

WHEREAS, On and prior to September 1, A. D. 1891, Wilson Frantz was the township treasurer of the township of Blanchard in the county of Putnam and state of Ohio; and

WHEREAS, As such treasurer he had and held the sum of \$6,254.66 for said township; and

WHEREAS, Said funds became and were misappropriated and applied by said treasurer and the officers of said township; and

WHEREAS, Numerous cases are now pending in the courts of said county respecting said funds and the application thereof, and others are threatened; and

WHEREAS, The majority of the citizens of said township are desirous to right the wrong so done the treasurer and his bondsmen by reason thereof, and to avoid such litigation and expense thereof,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of trustees of said Blanchard township, Putnam county, Ohio, shall, at a regular or special election, due notice of which shall be given for fifteen days, submit to the qualified electors of said township the proposition to relieve and release the sureties on the official bond of said Wilson Frantz as such township treasurer, and if such proposition carries by a majority of the electors voting on such proposition at such election, then the sureties on the official bond of the said William Frantz, as treasurer aforesaid, shall be then and thereafter wholly relieved and released from the payment to said township or to the officers thereof of the said sum of six thousand two hundred and fifty-four dollars and sixty-six cents (\$6,254.66). The ballots voted at such election shall have written or printed thereon the words following: "For relief and release of the sureties of Wilson Frantz—Yes;" "For relief and release of the sureties of Wilson Frantz—No." A majority of the votes cast at said election shall be necessary to carry said proposition.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 21, 1893.

332L

[House Bill No. 1643.]

## AN ACT

To authorize the council of the incorporated village of West Leipsic, Putnam county, Ohio, to make additional levies for certain purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of West Leipsic

Putnam county, Ohio, be and the same is hereby authorized to levy annually, for a period not exceeding ten years from and after the date of the passage of this act, an amount not exceeding ten mills, in any one year, upon the dollar, of all the taxable property in said incorporated village, in addition to that now authorized by law, not exceeding \$2,000, for the purpose of building a town hall in said village; said levy and fund so raised to be known as the "village hall fund."

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 24, 1893.

351L

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House Bill No. 1743.

### AN ACT

To authorize the auditor of Putnam county, Ohio, to draw warrants for the payment of taxes erroneously assessed and collected, and providing for the payment of the same.

WHEREAS, The county auditor of Putnam county, Ohio, on and prior to January 11th, A. D. 1858, caused the south half of the south-east quarter of section twenty-six (26), town two (2) north, range five (5) east, Putnam county, Ohio, containing 80 acres of land to be placed upon the tax duplicate of said county for the collection of taxes thereon; and

WHEREAS, After being so placed upon the duplicate and in the name of an unknown owner, the same was by the auditor of said county on the 11th day of January, A. D. 1858, by him sold for the nonpayment of taxes and penalty thereon to A. Burron; and

WHEREAS, At said day a certificate of such purchase and sale was by the auditor of said Putnam county, Ohio, made and delivered to the said A. Burron; and

WHEREAS, The same has been duly assigned and transferred to one A. V. Rice, the present holder thereof; and

WHEREAS, Thereafter and from said date the said A. V. Rice and the prior owners and holders of such certificates paid the taxes, regularly, as assessed against said lands by the state and county, as they matured and became due; and

WHEREAS, It has since been legally determined that said lands were and had been erroneously placed upon the tax duplicate of said county by said auditor; and

WHEREAS, It further appeared that said lands were and have been the property of the United States and were not and had not been entered until after the year 1888; and

WHEREAS, It further appeared that the taxes, interest and penalty charged to said lands amount to the sum of \$397.60, and the county has received as its proportion of the said taxes, interest and penalty the sum of \$352.79; therefore

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the auditor of Putnam county, Ohio, shall, immediately upon the passage of this act, issue his warrant upon the treasurer of said county, payable to the said A. V. Rice, for the sum of three hundred and fifty-two dollars and seventy-nine cents (\$352.79), and the treasurer of said Putnam county shall, upon due presentation of the said warrants, pay the same; that the said warrants shall be drawn upon the county fund of the said county.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 24, 1893.  
353L

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[House Bill No. 1744.]

### AN ACT

To authorize the auditor of Putnam county, Ohio, to draw warrants for the payment of taxes erroneously assessed and collected, and providing for the payment of the same.

WHEREAS, The county auditor of Putnam county, Ohio, on and prior to January 17, A. D. 1871, caused the northeast quarter of section (6), town one (1) north, range (6) east, Putnam county, Ohio, containing 160 acres of land, to be placed upon the tax duplicate of said county for the collection of taxes thereon; and

WHEREAS, After being so placed upon the duplicate and in the name of an unknown owner, the same was by the auditor of said county on the 17th day of January, A. D. 1871, by him sold for the nonpayment of taxes and penalty thereon to A. V. Rice and S. B. Rice; and

WHEREAS, At said day a certificate of such purchase and sale was by the auditor of said Putnam county, Ohio, made and delivered to the said A. V. and S. B. Rice; and

WHEREAS, Thereafter and from said date the said A. V. and S. B. Rice paid the taxes regularly as assessed against said lands by the state and county, as they matured and became due; and

WHEREAS, It has since been legally determined that said lands were and had been erroneously placed upon the tax duplicate of said county by said auditor; and

WHEREAS, It further appeared that said lands were and have been the property of the United States and were not and had not been entered until after the year 1888; and

WHEREAS, It further appeared that the taxes, interest and penalty charged to said lands amount to the sum of \$772.99, and the county has received as its proportion of the said taxes, interest and penalty the sum of \$694.06; therefore

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the auditor of Putnam county, Ohio, shall, immediately upon the passage of this act, issue his warrant upon the treasurer of said

county, payable to the said A. V. Rice, for the sum of six hundred and ninety-four dollars and six cents (\$694.06), and the treasurer of said Putnam county shall, upon due presentation of the said warrants, pay the same; that the said warrants shall be drawn upon the county funds of the said county.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*

ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 24, 1893.  
359L

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## RICHLAND COUNTY.

[House Bill No. 1487.]

### AN ACT

To repeal "An act to authorize the council of certain cities to issue and sell bonds in any sum not to exceed one hundred thousand dollars (\$100,000), for the purpose of the general improvement and benefit of said city," passed April 15, 1892.

[MANSFIELD.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That "An act to authorize the council of certain cities to issue and sell bonds in any sum not to exceed one hundred thousand dollars (\$100,000), for the purpose of the general improvement and benefit of said city," passed April 15, 1892, be and the same is hereby repealed.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*

ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 13, 1893.  
118G

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[Senate Bill No. 503.]

### AN ACT

To authorize the council of certain villages to issue and sell bonds in any sum not to exceed fifteen thousand dollars (\$15,000), for the purpose of improving the streets of such villages and to pay debts.

[PLYMOUTH.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any village which at the last federal census had, or which at any subsequent federal census may have, a population

of not less than eleven hundred (1,100), nor more than fifteen hundred (1,500), be and is hereby authorized and empowered to issue and sell the bonds of said village in any sum not exceeding fifteen thousand dollars (\$15,000), in denominations of not less than one hundred nor more than five hundred dollars, each bearing interest at a rate not exceeding six per cent. per annum from the date of issue, payable semi-annually, or as the council may direct; the proceeds of such bonds to be used for the purpose of improving the streets of said village and to pay its indebtedness.

SECTION 2. Said bonds shall be signed by the mayor of said village and countersigned by the clerk of said village, and shall not be sold for less than their par value. The principal shall be payable within twenty years from the date of said bonds as the council may determine; and the council of said village is hereby authorized to levy a tax in addition to that now authorized by law, upon all the taxable property of said village, to pay said bonds and the interest as they become due.

SECTION 3. Said bonds shall not be issued nor a tax levied for the same, until the question shall have been first submitted to the voters of said village at a general or special election, of which at least ten days' notice shall be given by publication by printed or written notices of such election, being posted in at least five conspicuous places in said village. At said election all tickets used in voting upon the question of issuing bonds shall have written or printed upon them [the] words "Authority to issue bonds—Yes;" or "Authority to issue bonds—No." No bonds shall be issued under this act unless two-thirds of such votes shall be in favor of the issue of such bonds.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 22, 1893.  
153G

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[House Bill No. 1792.]

### AN ACT

To authorize the council of the city of Mansfield, Richland county, Ohio, to transfer certain funds.

WHEREAS, By act of the general assembly of the state of Ohio, passed April 15, 1892 (O. L. vol. 89, p. 319), the council of the city of Mansfield was authorized to issue and sell the bonds of said city for general improvement purposes, to the amount of one hundred thousand dollars (\$100,000.00); and

WHEREAS, The said council did negotiate and sell thirty thousand dollars (\$30,000.00) of said bonds; and

WHEREAS, From the proceeds of said sale of said bonds nineteen thousand dollars (\$19,000.00) were placed in the general fund of said city therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the city of Mansfield, Richland county, Ohio, be and the same is hereby authorized and directed to transfer from the general fund of said city the sum of five thousand dollars (\$5,000.00) for the improvement of the public park of said city, known as the Sherman-Heineman park, to be expended under the direction of the park commissioners of said park.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 18, 1893.  
813L

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## ROSS COUNTY.

[House Bill No. 1488.]

### AN ACT

To amend section three of an act entitled "An act to add certain territory to the special school district of North Union, in Union township, Ross county, Ohio, and to increase the number of members of the board of education from three to six," etc., passed April 16th, 1892.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section three of said act be amended so as to read as follows:

Sec. 3. That the board of education of said special school district shall, immediately upon the passage of this act, proceed to subdivide said district into three subdivisions, in such manner as shall best accommodate the pupils of the district, there being three school-houses in said district; and there shall be elected two members of the board of education from each subdivision, by the qualified voters residing in their respective subdivisions, whose term of office shall be for two years, and they shall serve until their successors are elected and qualified. And said election shall be held on the second Monday of April in each year; provided, however, that the present members of the board of education shall serve out their terms of office, and thereafter they shall be elected agreeably to this act.

SECTION 2. That said original section three of said recited act is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives..*  
ANDREW L. HARRIS,  
*President of the Senate..*

Passed March 22, 1893.  
168L

[House Bill No. 1331.]

## AN ACT

To authorize the board of education of the special school district of North Union, in Union township, Ross county, Ohio, to rebuild a school-house that burned down November 23d, 1892, and issue bonds to pay the same.

WHEREAS, On the 23d day of November, 1892, a school-house in the special school district of North Union, in Union township, Ross county, Ohio, burned down; and

WHEREAS, There is certain material remaining uninjured by the fire, such as brick, stone, and the foundation remains good; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the special school district of North Union, in Union township, Ross county, Ohio, are hereby authorized to purchase the necessary material and employ the necessary labor to rebuild said house without advertising for bids, as required by the general laws of the state.

SECTION 2. That on the completion of said house, the board of education shall issue the bonds of said special school district, not to exceed the sum of one thousand dollars, in such sums as they deem wise and to the best interest of said district, and said bonds shall bear interest at the rate of six per cent. per annum payable annually, and shall be signed by the president and countersigned by the clerk of said board of education, and shall not be sold for less than their par value. Said bonds shall not be made to extend beyond a period of five years after the date of their issue; and said board of education is hereby authorized to levy an additional tax on the taxable property of said district, not to exceed one mill in any one year, for the purpose of paying said bonds and interest on the same.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed March 29, 1893.

216L

[House Bill No. 1644.]

## AN ACT

To authorize the commissioners of Ross county, Ohio, to expend money for the purpose of finishing free pike roads and building new pike roads in said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Ross county, Ohio, be and they are hereby authorized to levy a tax not to exceed one mill on the dollar on all of the taxable property of said county, for the years 1893, 1894 and 1895 for the purpose of completing and finishing free pike roads and building new pike roads in said county; provided, that said county commissioners shall not increase the tax levies in said county beyond the amount they are now authorized by law to levy.



SECTION 2. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,  
*Speaker pro tem. of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed March 30, 1893.  
226L

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[House Bill No. 1645.]

### AN ACT

For the creation of special school district out of the territory of subdistrict number 3 of Colerain township, Ross county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the territory comprising the sub-school district number 3 of Colerain township, Ross county, Ohio, be and the same is hereby made a special school district to be known as the Hallsville special school district of Colerain township, Ross county, Ohio, and said special school district shall be governed by the laws of Ohio governing special school districts.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 5, 1893.  
235L

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### SANDUSKY COUNTY.

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[For acts relating to Bellevue see Huron county.]

[House Bill No. 995.]

### AN ACT

To authorize the council of any village that had at the last federal census, or that may have at any future census, a population of not less than 2,320 nor more than 2,350, to issue bonds for the purpose of improving and paving streets and constructing sewers, to erect and purchase an electric light plant, and to extend the public water-works of such village.

[CLYDE.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of any village which had according to the federal census of 1890, or which at any subsequent census may have a population of not less than 2,320 nor more than 2,350, is hereby authorized to improve and pave the streets of such village, and to construct sewers

and to erect or purchase an electric light plant, and to extend the public water-works of such village.

SECTION 2. That the council of such village is hereby authorized and empowered to borrow the sum of fifteen thousand dollars (\$15,000.00), for the purpose of improving and paving the streets of such village, and constructing sewers therein, and to issue the bonds of such village therefor; provided, however, that two-thirds of the cost of improving and paving any street, and of constructing a sewer under such paved part for which street improvement fund shall be used, shall be assessed on the real estate bounding and abutting thereon, and according to the foot frontage of the real estate so bounding and abutting, as provided by the laws of the state of Ohio, and one-third of the cost of improving, paving and sewerage such paved part shall be paid out of the fund provided for in this act; and such council may also provide for the construction and payment by general taxation of the balance of such sewer in such manner as may seem to it best. After such improving and paving of any such street shall have been completed, the clerks of such village shall certify said assessment to the auditor of the county in which said village is located, who shall enter the same upon the tax duplicate of said county, and said assessment shall be collected as other taxes; when said taxes are collected the same shall be placed to the credit of the sinking fund in such village and be a part thereof. Such assessment shall be collected in twenty (20) semi-annual instalments from and after the assessment thereof; but the owner of any such assessed property may, within ninety days after such assessment shall have been made, pay to the treasurer of such village the entire amount of his or her assessment, together with interest at six per centum on said assessment to the date when first semi-annual instalment is due, and such treasurer shall give a receipt in full for such assessment and certify the same to the county auditor of said county, who shall place the same on the tax duplicate opposite such assessed property "assessment paid to village treasurer;" provided, however, that no such assessment shall be made and collected unless a majority of those owning real estate bounding and abutting on any street thus improved shall have first signed a petition to said council, praying for the improvement of such street; and provided further, that such council shall have first found that a majority of such property owners shall have signed said petition, and a petition signed either prior or subsequent to the passage of this act shall be sufficient.

SECTION 3. That the council of such village is hereby authorized and empowered to borrow the sum of twelve thousand dollars (\$12,000.00) for the purpose of purchasing, erecting, operating and owning an electric light plant, to be used in supplying lights for streets and other public lighting, and lights for private use, and to issue the bonds of such village therefor.

SECTION 4. That the council of such village is hereby authorized and empowered to borrow the sum of seven thousand dollars (\$7,000.00) for the purpose of providing funds for extending the system of water-works of such village, and to issue the bonds of such village therefor.

SECTION 5. For the purposes mentioned in the four preceding sections of this act, the council of any such village is hereby authorized to issue its bonds for all or any of the purposes named in said sections, but in no case exceeding in amount the sums named in said sections for each particular purpose named therein. All bonds issued under any section of this act shall bear a rate of interest not exceeding six per cent per annum from date of issue; the principal of all such bonds and the interest

est thereon shall be payable at such times and places as the council of any such village may by ordinance determine, not exceeding thirty years from the date of such bonds, and said bonds shall be of such denominations, not less than one hundred dollars (\$100.00) each, as the council of such village may by ordinance determine; the interest thereon shall be payable semi-annually, and all bonds so issued as provided under any section of this act shall be signed by the mayor of such village and attested by its clerk, and no bonds shall be sold for less than their par value in cash. All bonds issued under section two (2) of this act shall be styled "street improvement bonds;" all bonds issued under section three (3) of this act shall be styled "electric light plant bonds;" and all bonds issued under section four (4) of this act shall be styled "water-works extension bonds." All such bonds shall be attested by the seal of such village, and when sold the proceeds shall be paid to the treasurer of such village who shall hold and disburse the same as other village funds are by him held and disbursed. No bonds issued under any section of this, nor the proceeds arising therefrom, shall be issued for any other purpose than that named in the section under which any such bonds are issued. In addition to other taxes, the council of such village is hereby authorized and required to levy a sufficient tax upon all the taxable property in such village to meet and pay said bonds and interest thereon, as the same shall become due and payable.

SECTION 6. Provided, that before any of the bonds described in this act are issued, the council of such village shall submit the question to the qualified electors of such village for that purpose, or at a regular municipal election, as the said council shall determine, of which at least ten days' notice shall be given by publication, signed by the mayor, in a newspaper published in such village, stating the time and place of holding said election. At said election the ballots shall have written or printed thereon "Street improvement bonds—Yes;" "Street improvement bonds—No;" "Electric light plant bonds—Yes;" "Electric light plant bonds—No;" "Water-works extension bonds—Yes;" "Water-works extension bonds—No." The election shall be held in accordance with the election laws of the state, and the vote shall be canvassed and the result declared in the same manner and by the same authorities as results of elections are declared in other cases, and the result, when so declared, shall be entered upon the minutes of the council of such village, and if it shall appear that a majority of the ballots cast at such election upon such questions were in favor of issuing bonds for all or any of the purposes mentioned in this act, then the council of such village shall proceed to issue such bonds as are authorized by a majority of such ballots so cast on each particular description of bonds herein set forth and such council shall issue any or all of the bonds described in this act, according as the majority of such ballots cast on each description of bonds herein mentioned shall dictate, and not otherwise.

SECTION 7. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed January 17, 1893.

5G

[House Bill No. 1153.]

## AN ACT

To authorize the council of any village that had at the last federal census, or that may have at any future census a population of not less than 2,320 nor more than 2,350, to issue bonds for the purpose of improving and paving streets and constructing sewers, to erect or purchase an electric light plant, and to extend the public water-works of such village.

[CLYDE.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any village which had according to the federal census of 1890, or which at any subsequent census may have, a population of not less than 2,320 nor more than 2,350 is hereby authorized to improve and pave the streets of such village, and to construct sewers, and to erect or purchase an electric light plant, and to extend the public water-works of such village.

SECTION 2. That the council of such village is hereby authorized and empowered to borrow the sum of fifteen thousand dollars (\$15,000.00) for the purpose of improving and paving the streets of such village, and constructing sewers therein, and to issue the bonds of such village therefor; provided, however, that two-thirds of the cost for improving and paving any street, and of constructing a sewer under such paved part, for which said street improvement fund shall be used, shall be assessed on the real estate bounding and abutting thereon, and according to the foot frontage of the real estate so bounding and abutting as provided by the laws of the state of Ohio; and one-third of the cost of improving, paving and sewerage such paved part shall be paid out of the fund provided for in this act; and such council may also provide for the construction and payment by general taxation of the balance of such sewer in such manner as may seem to it best. After such improving and paving of any such street shall have been completed, the clerk of such village shall certify said assessment to the auditor of the county in which said village is located, who shall enter the same upon the tax duplicate of said county, and said assessment shall be collected as other taxes; when said taxes are collected, the same shall be placed to the credit of the sinking fund in such village and be a part thereof. Such assessment shall be collected in twenty (20) semi-annual instalments, from and after the assessment thereof, but the owner of any such assessed property may within ninety days after such assessment shall have been made, pay to the treasurer of such village the entire amount of his or her assessment, together with interest at six per centum on said assessment to the date when the first semi-annual instalment is due, and such treasurer shall give a receipt in full for such assessment and certify the same to the county auditor of said county, who shall place the same on the tax duplicate opposite such assessed property, "assessment paid to village treasurer;" provided, however, that no such assessment shall be made and collected unless a majority of those owning real estate bounding and abutting on any street thus improved shall have first signed a petition to said council praying for the improvement of such street; and provided further, that said council shall have first found that a majority of such property owners shall have signed said petition, and a petition signed either prior or subsequent to the passage of this act shall be sufficient.

**SECTION 3.** That the council of such village is hereby authorized and empowered to borrow the sum of twelve thousand dollars (\$12,000) for the purpose of purchasing, erecting, operating and owning an electric light plant to be used in supplying lights for streets and other public lighting, and lights for private use, and to issue the bonds of such village therefor.

**SECTION 4.** That the council of such village is hereby authorized and empowered to borrow the sum of seven thousand dollars (\$7,000.00) for the purpose of providing funds for extending the system of water-works of such village, and to issue the bonds of such village therefor.

**SECTION 5.** For the purposes mentioned in the four preceding sections of this act, the council of any such village is hereby authorized to issue its bonds for all or any of the purposes named in said sections, but in no case exceeding in amount the sums named in said sections for each particular purpose named therein; all bonds issued under any section of this act shall bear a rate of interest not exceeding six per cent. per annum from date of issue; the principal of all such bonds and the interest thereon shall be payable at such times and places as the council of any such village may by ordinance determine, not exceeding thirty years from the date of such bonds, and said bonds shall be of such denominations not less than one hundred dollars (\$100.00) each, as the council of such village may by ordinance determine; the interest thereon shall be payable semi-annually, and all bonds so issued as provided under any section of this act shall be signed by the mayor of such village, and attested by the clerk, and no bonds shall be sold for less than their par value in cash. All bonds issued under section two (2) of this act shall be styled "street improvement bonds;" all bonds issued under section three (3) of this act shall be styled "electric light plant bonds;" and all bonds issued under section four (4) of this act shall be styled "water-works extension bonds." All such bonds shall be attested by the seal of such village, and when sold the proceeds shall be paid to the treasurer of such village, who shall hold and disburse the same as other village funds are by him held and disbursed. No bonds issued under any section of this act, nor the proceeds arising therefrom, shall be used for any other purpose than that named in the section under which any such bonds are issued. In addition to other taxes, the council of such village is hereby authorized and required to levy a sufficient tax upon all the taxable property in said village to meet and pay said bonds and interest thereon, as the same shall become due and payable.

**SECTION 6.** Provided, that before any of the bonds described in this act are issued, the council of such village shall submit the question to the qualified electors of such village at a special election, called by order of the council of such village for that purpose, or at a regular municipal election, as the said council shall determine, of which at least ten days' notice shall be given by publication, signed by the mayor, in a newspaper published in such village, stating the time and place of holding said election. At said election the ballots shall have written or printed thereon "Street improvement bonds—Yes;" "Street improvement bonds—No;" "Electric light plant bonds—Yes;" "Electric light plant bonds—No;" "Water-works extension bonds—Yes;" "Water-works extension bonds—No." The election shall be held in accordance with the election laws of the state, and the vote shall be canvassed and the result declared in the same manner and by the same authorities as

results of elections are declared in other cases, and the result, when so declared, shall be entered upon the minutes of the council of such village, and if it shall appear that a majority of the ballots cast at such election upon such questions were in favor of issuing bonds for all or any of the purposes mentioned in this act, then the council of such village shall proceed to issue such bonds as are authorized by a majority of such ballots so cast on each particular description of bonds herein set forth, and such council shall issue any or all of the bonds described in this act, according as the majority of such ballots cast on each description of bonds herein mentioned shall dictate, and not otherwise.

SECTION 7. The act entitled "An act to authorize the council of any village that had at the last federal census, or that may have at any future census, a population of not less than 2,320 nor more than 2,350, to issue bonds for the purpose of improving and paving streets and constructing sewers, to erect or purchase an electric light plant, and to extend the public water-works of such village," passed January, 1893, be and the same is hereby repealed.

SECTION 8. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed February 1, 1893.

27G

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[House Bill No. 1496.]

AN ACT

To authorize the village of Clyde, Sandusky county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Clyde, Sandusky county, Ohio, be and hereby is authorized to transfer certain funds of said village, as follows, to wit: From the police fund to the street fund sixteen hundred dollars (\$1,600.00); and from the police fund to the lamp fund four hundred dollars (\$400.00).

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed March 22, 1893.

165L

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[House Bill No. 1685.]

AN ACT

To authorize the board of education of the Gibsonburg special school district of Sandusky county, to issue bonds for purchasing a site, erecting a school-house thereon, and furnishing the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the special school district of Gibsonburg, Sandusky county, Ohio, be and hereby are authorized to

issue the bonds of said district, in a sum not exceeding fifteen thousand (\$15,000.00) dollars for the purpose of purchasing a site, erecting a school building thereon in said district, and furnishing the same.

SECTION 2. Such bonds shall be issued by said board in denominations of not less than five hundred dollars (\$500) nor more than one thousand dollars (\$1,000.00), payable at such times, not exceeding twenty (20) years, as the board may provide, with interest not to exceed six per cent. per annum, payable semi-annually, principal and interest payable at such place as the board may determine, and the principal also to be paid in such amounts as the board may determine, and said board shall levy a tax on all the taxable property of said special school district in addition to that now authorized by law to be levied for school purposes, sufficient to pay principal and interest of such bonds as they become due. When such bonds are so issued they shall express upon their face the purpose for which issued, the act under which issued, the amount of bond, the rate of interest, the time and place at which such bonds and interest shall be paid, and shall be signed by the president and secretary of the board of education.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives,*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 5, 1893.  
245L

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[House Bill No 19.]

### AN ACT

For the relief of Peter Spieldenner, late treasurer of Scott township, Sandusky county, Ohio.

WHEREAS, Peter Spieldenner by some means unknown to himself, while acting as treasurer of Scott township, Sandusky county, Ohio, lost nineteen hundred dollars; and

WHEREAS, If he is not reimbursed for said loss it will cause him to lose his farm; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Scott township, Sandusky county, Ohio, be and are hereby empowered and authorized to refund to the said Peter Spieldenner or his legal representatives the sum of nineteen hundred dollars (\$1,900.00).

SECTION 2. That for the purposes aforesaid the trustees of Scott township, Sandusky county, Ohio, are hereby authorized to levy and collect in addition to all other taxes authorized by law, an amount sufficient to pay said sum of nineteen hundred dollars (\$1,900.00), one-half of said sum to be levied in 1894 and one-half to be levied in 1895. The question of levying and collecting said sum shall first be submitted to the qualified voters of Scott township, Sandusky county, Ohio, at any general election of which due notice shall be given by the trustees in their regular annual notice of election. Those voting in favor of the

proposition shall have written or printed on their ballots "Relief of Peter Spieldenner—Yes." Those opposed to the proposition shall have written or printed on their ballots "Relief of Peter Spieldenner—No." If a majority of said votes are in favor of said proposition then said payment may be made.

SECTION 3. This act shall take effect from and after its passage.

ELVERTON J. CLAPP,

*Speaker pro tem. of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 25, 1893.

368L

[House Bill No. 1851.]

### AN ACT

To authorize the board of education of Townsend township, Sandusky county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of Townsend township, Sandusky county, Ohio, be and the same is hereby authorized to transfer the sum of twelve hundred dollars (\$1,200) from the tuition fund to the contingent fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 25, 1893.

371L

### SCIOTO COUNTY.

[House Bill No. 1256.]

### AN ACT

To authorize the council of the city of Portsmouth, Scioto county, to issue bonds to the amount of thirty-five thousand dollars for the purpose of constructing a sewer and branches thereof in said city, and to levy a tax to pay said bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the city of Portsmouth be and it is hereby authorized and empowered for the purpose of constructing a trunk sewer, together with necessary branches, well-holes and manholes, beginning on Ninth street above North Water street, thence up Ninth through an alley to Tenth, thence on Tenth, Scott, Eleventh, Union, Fifteenth, North Waller, Sixteenth and Kinney, and thence northwesterly to the Fire street crossing on the C., P. & V. railroad, draining territory mostly in the



sixth ward of said city, and known as the "sixth ward sewer," and to issue bonds of the City in a total sum not exceeding thirty-five thousand (\$35,000) dollars, and bearing a rate of interest not exceeding six per cent. payable semi-annually, for such length of time not exceeding twenty-five years, as the council shall determine, which bonds shall not be sold for less than their par value, and the proceeds thereof shall be applied to no other purpose than the completion of said sewer and its necessary branches, well-holes and manholes; the bonds shall be signed by the mayor and clerk of said city, and sealed with the seal of said city of Portsmouth.

SECTION 2. That for the purpose of paying the principal and interest of said bonds, the council of said city shall levy, annually, a tax not exceeding one mill in addition to the taxes authorized by law, on all the taxable property [of] said city, until said bonds and interest are paid in full.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed March 1, 1893.  
88L

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[House Bill No. 1521.]

### AN ACT

To amend an act to regulate burdens upon country roads in counties having at the federal census of 1880 a population of not more than thirty-three thousand five hundred and fifteen and not less than thirty-three thousand five hundred and ten, passed April 15, 1892 (89 O. L. 316).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in any county in this state having at the federal census of 1880 a population of not more than thirty-three thousand five hundred and fifteen and not less than thirty-three thousand five hundred and ten, the county commissioners shall have power to enforce the following regulations as to burdens hauled over all free turnpikes or improved county roads, viz.: All vehicles carrying a burden of over two thousand pounds and not over thirty-five hundred pounds shall have tire of not less than three inches in width; all vehicles carrying a burden of over thirty-five hundred pounds and not over four thousand pounds, shall have tire of not less than three and one-half inches in width; all vehicles carrying a burden of over four thousand pounds and not over six thousand pounds, shall have tire of not less than four inches in width; all vehicles carrying a burden of over six thousand pounds and not over eight thousand pounds, shall have tire of not less than five inches in width; all vehicles carrying a burden of over eight thousand pounds shall have tire of not less than six inches in width; provided, however, that the owner of real estate, his tenants, or agents may use any character of vehicle, without reference to the burden carried or width of tire, in hauling his products from one portion of his premises to another portion thereof, along said turnpikes or roads.

SECTION 2. The county commissioners of any such county shall, at the first regular meeting after the passage of this act, make provisions for its proper enforcement.

SECTION 3. It shall be the duty of any sheriff, constable, marshal or other officer having police power to arrest any person found violating any of the provisions of this act, who shall be fined for such violation not less than five nor more than twenty-five dollars with costs; and any mayor or justice of the peace in said county shall have jurisdiction to try the offenses described in this act, and their judgment shall be final.

SECTION 4. That said original act be and the same is hereby repealed; and this act shall take effect and be in full force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 18, 1893.

292G

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[House Bill No. 1793.]

## AN ACT

To authorize the trustees of Brush Creek township, Scioto county, Ohio, to purchase a town hall, to issue bonds and levy a tax to pay the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Brush Creek township, Scioto county, Ohio, are hereby authorized to issue bonds of said township, in any sum not to exceed three hundred dollars, in denominations of one hundred dollars each, payable in one, two and three years, respectively, with six per cent. interest from date, annually, to be sold at not less than their par value, the proceeds to be used to purchase a suitable lot and building for a town hall in and for said township.

SECTION 2. That the trustees of said township are further authorized to cause to be levied, upon all the taxable property within said township, a sufficient amount each and every year for three years to pay said bonds and the interest thereon, in addition to the levy now authorized by law, as the same may become due, and to cause the same to be collected according to law.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 18, 1893.

314L

[House Bill No. 1646.]

## AN ACT

To authorize the issuing of bonds for the purpose of extending and opening to full width, streets in certain cities.

[PORTSMOUTH.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any city in this state, which by the federal census of 1890 had or which by any census hereafter may have on the first day of June in any year a population of 12,394, is hereby authorized and empowered to issue the bonds of said city in any sum not exceeding fifteen thousand dollars, for the purpose of extending or opening to the full width, certain streets already upon the plats of said city.

SECTION 2. The proceeds of the sale of said bonds shall be applied only to the extension of such streets as are already upon the plats of said city, and which extension will intercept or join with the same street or with another street upon a straight line therewith; or for the opening to the full width any street which has been partially laid out and dedicated to said city; but in no case shall the proceeds of the sale of said bonds, or any part thereof, be applied to the extension, opening or widening of any street, some part of which has not already been opened to a width of sixty-six feet.

SECTION 3. Said bonds shall be issued in denominations of five hundred dollars, and shall bear interest at a rate not exceeding six (6) per centum per annum, and shall not be sold for less than their par value. Said bonds, to the amount of five hundred dollars, shall become due and payable on the first day of July, within a period of eighteen months after the date of the passage of an ordinance by the council of said city providing for the issuing of said bonds; and the sum of five hundred dollars shall become due and payable on the first day of each succeeding January and the first day of each succeeding July until the full amount of said issue is paid.

SECTION 4. To provide for the payment of the principal and interest of said bonds when they shall become due, the city council of said city is authorized and required to levy a tax not exceeding four-tenths of a mill on each dollar of taxable property in said city, each year, until the said bonds and interest on the same shall have been fully paid; and in case the city council refuse or neglect to make such levy, the county auditor of the county in which said city is situated is hereby authorized, empowered and directed to assess against the taxable property of said city, such amounts not exceeding the amount specified in this section as will provide for the said bonds and interest.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 21, 1893.  
339G

[House Bill No. 1867.]

## AN ACT

To authorize the board of education of Madison township, Scioto county, Ohio, to levy an additional tax.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of Madison township, Scioto county, Ohio, be and the same is hereby authorized and empowered to levy a tax, in addition to that now authorized by law to be levied, of four mills upon all the taxable property of said township, for the purpose of paying an indebtedness of twelve hundred dollars incurred in carrying on the schools of said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 25, 1893.

379L

## SENECA COUNTY.

[House Bill No. 1094.]

## AN ACT

To authorize the city of Fostoria, Seneca county, Ohio, to transfer certain funds therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the city of Fostoria, in the county of Seneca, and state of Ohio, be and is hereby authorized to transfer thirty-five hundred dollars (\$3,500) from the sewer fund of sewer district number one (1), of said city, to the erection of public buildings and the repair of engine fund. Also, the sum of twelve hundred dollars (\$1,200) from said sewer fund to the street lighting fund of said city. Also, the sum of five hundred dollars (\$500) from said sewer fund to the general purpose fund of said city. Also, the sum of two thousand and forty-two (\$2,042) dollars from said sewer fund of sewer district number one (1), of said city, to the sewer fund of sewer district number two (2) of said city of Fostoria, Ohio.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives*

ELBERT L. LAMPSON,

*President pro tem. of the Senate*

Passed January 26, 1893.

22L

[House Bill No. 1332.]

## AN ACT

To amend an act entitled "An act to create a special road district in Seneca county," passed April 25, 1891.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That an act entitled "An act to create a special road district in Seneca county," passed April 25, 1891, be amended so as to read as follows: That the township of Thompson in Seneca county, be and the same is hereby constituted and made a separate and independent road district, for the purpose of macadamizing, working, repairing and improving the roads and highways in said township as herein set forth and for no other purpose, independent of and free from the operation of existing laws relating to the improvement of roads and highways and of all other laws not consistent or in harmony with the provisions of this act.

SECTION 2. That after the year 1893 road supervisors, for the districts into which the said township has heretofore been divided, shall not be elected or appointed in said township.

SECTION 3. That at the April election in the year 1893, and each year thereafter, there shall be elected in said township an officer to be known as road commissioner of said township for the period of one year and until his successor is elected and qualified, and the township trustees may fill any vacancy in said office for the unexpired term; such road commissioners, whether elected or appointed, shall give bond to said township for such sum as such trustees may fix, with sureties to the approval of said trustees, conditioned for the honest and faithful discharge and performance of all and singular the duties of their office and shall take an oath of office, and such road commissioners so elected or appointed to fill a vacancy may, subject to the approval of said trustees, and when they find there is an actual necessity therefor, appoint one or more deputies who shall give bond and take an oath the same as the road commissioners, and he shall exercise the same powers and perform the same duties as the road commissioners lawfully might, and such road commissioner including such deputy, shall be allowed and paid out of the general fund of the township or the road fund, on the allowance and approval of the township trustees, one dollar and twenty-five cents per day for each full day actually and necessarily devoted to the performance of his official duties as herein set forth; and the amount due for such services shall be settled and paid each month, and the road commissioners shall, and also his deputies in presenting a claim for services, make a full itemized statement of such services to the satisfaction of the trustees and make oath to the same, and the trustees shall allow only so much thereof as is just and right.

SECTION 4. That no person shall be compelled to work out his poll tax outside of any of the present road districts and said township as now constituted, in which he may reside at the time he should work the same out, but he shall work the same out or pay therefor the same as now provided by law; and as to such poll tax said road commissioner shall perform all the duties and exercise all the powers now pertaining to the office of road supervisor; provided, that if a person so elects, he shall be permitted to work out such poll tax under the direction of the road commissioner at the time fixed by him, on any of the improvements being constructed under the provisions of this act, and any money collected for

the non-payment of any poll tax shall be paid into township treasury and may be expended on any such improvements.

SECTION 5. That the township trustees of said township are hereby authorized to improve and cause to be improved, the roads in said township that are state or county roads, by causing the same to be opened up the full legal original width, drained, graded, scraped, leveled, macadamized or stoned, and otherwise improved as may be necessary and proper, and shall have authority for that purpose each year to cause all necessary surveys and levels to be made and all necessary plans and specifications to be prepared, and shall each year at as early a day as may be after the April election and the qualifying of the trustee elected thereat, determine what road improvement they will make for that year, and where said improvements shall be commenced and prosecuted as to do the greatest general public good, for the inhabitants of said township; and for the purpose of making the improvements hereby authorized said township trustees, including the tax for roads now authorized by law, are authorized to levy and assess, annually, a tax of not to exceed three mills on the dollar on all the taxable property in said township; said levy to be made and certified the same as other township levies, and the tax shall be collected and paid over the same as taxes in other cases; and all road taxes in said township shall be payable in money, except as herein provided, and when collected and received shall constitute the township road fund and shall be used wholly in making the improvements hereby authorized and in repairing the roads of said township; and all money realized from such tax as well as all money realized from the poll tax, shall be placed to the credit of such fund; provided that one-half of the road tax levied may be paid in labor to be performed at such place or places and times as the township trustees may direct from time to time in the repair of roads or in the making of said improvement, and to be done under the direction and control of said road commissioner, and for that purpose his certificate to the extent of the labor actually performed, not to exceed the amount of the tax that might lawfully be paid in labor, shall have the same force and effect as the certificate of road supervisors in other cases; but laborers shall not be credited with more than \$1.50 each for a full day, and for a man and team there shall not be credited more than \$2.50 for a full day on said taxes.

SECTION 6. That for the purpose of making said improvements, the township trustees shall have power to purchase the necessary implements, machinery, appliances and stone, and purchase or lease the necessary stone quarries, and pay for the same out of said fund or the general fund of such township as they deem best, but the aggregate expenditure under this section in the year shall not exceed \$1,000.00, nor in any year thereafter more than \$600.00.

SECTION 7. That said improvements shall be made under the personal direction and supervision of the road commissioners, subject to the order and control of the township trustees and as directed by them, and no money shall be disbursed until the claim is first approved by the trustees and by them ordered to be paid; and a full and complete settlement shall be made by the road commissioner with the trustees at their regular September and March meetings, and he shall truly account for and pay over all moneys received by him the same as is required of road supervisors. The road commissioner shall faithfully execute and perform all lawful orders and directions of the trustees, and shall exercise

all the powers and perform all the duties of road supervisors not inconsistent with the provision of this act; but such road commissioner shall not disburse any of the public moneys coming into his hands, but shall promptly, on receipt of the same, pay the same into the township treasury, and all orders drawn on the township treasurer, payable out of said funds or for or on account of any of the purchases herein authorized, shall be payable to the order of the person in whose favor the claim is allowed. The road commissioner shall have authority to employ persons and teams necessary to do the work directed by the trustees to be done, at prices not to exceed the amount or rate fixed by them; provided, however, he shall make diligent efforts to secure so much of the taxes as are payable in labor to be worked out, and it shall be the duty of all persons liable to work out or pay their poll tax or road tax, to respond to the call of the road commissioner, the same as is provided by law in reference to road supervisors, and the same penalties shall attach to any failure so to do; and it shall be the duty of all persons liable to pay any road tax to work the same out to the extent herein provided as directed by the road commissioner, and to pay the balance, and the same penalties shall attach to any failure so to do as is provided in other cases of such failure concerning road taxes. The trustees of such township may maintain an action in their own name against any persons failing to perform such labor or to pay any of said taxes, for the amount due, together with any and all penalties provided by law in other like cases for such default. The county treasurer shall pay the said township all the road tax collected for said township without any deduction.

SECTION 8. Said original act passed April 25, 1891, is hereby repealed.

SECTION 9. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 10, 1893  
115L

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[House Bill No. 1710.]

### AN ACT

To authorize certain cities to own and operate a natural gas plant for the production of gas and oil and all necessary leases, lands, rights of way, wells, pipe-lines, fixtures and plants, and granting authority to such cities to sell and dispose of any surplus oil produced on any lands and leases belonging to such cities and to pay the money arising therefrom into the treasury of such city, and to acquire lands and leases for the operation of such plant.

[FOSTORIA.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That any city of the fourth grade of the second class, situated in two or more counties, and which may now or hereafter have, possess, own or operate a natural gas plant, consisting of gas and oil leases and lands, pipes, pipe-lines and rights of way for the same, fixtures, machin-

ery and other appliances necessary for the production of gas and oil and the operation of said plant, and the conveying of said product to consumers, shall have the full right, authority and power to possess, own and operate the same, and to sell and dispose of such gas and oil to consumers, and to sell and dispose of any surplus oil which may be produced on such lands and leases and to place the product thereof in the treasury of such city; and the title of any such city to any such leases, lands, rights of way, wells, pipe-lines, fixtures and plant which have been heretofore acquired by it shall be and held to be as full, complete, perfect and legal, as if acquired under authority of any law of this state. And any such city may, and is hereby authorized and empowered to acquire additional gas and oil lands by lease or otherwise, and rights of way for pipe-lines for the benefit of such plant and city.

SECTION 2. No bonds shall be issued for the improvement, maintenance or extension of such plant unless upon an affirmative vote of two-thirds of the voters of such city, voting at any regular election.

SECTION 3. This act shall be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed April 6, 1893.

234G

[House Bill No. 1796.]

## AN ACT

To authorize the council of any city of the second class and fourth grade, which had a population at the last federal census of not more than 7,070 nor less than 7,055, or at any succeeding federal census may have a population of not more than 7,070 nor less than 7,055, to issue and sell bonds for general improvement and benefit of said city.

[FOSTORIA.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of any city of the second class, and fourth grade, which had at the last federal census a population of not more than 7,070 nor less than 7,055, or at any succeeding federal census may have a population of not more than 7,070 nor less than 7,055, be and the said council is hereby authorized to borrow a sum of money not to exceed twenty-five thousand dollars (\$25,000.00), for the purpose of general improvement and benefit of said city. And for the purpose of making such loans said council be and hereby is authorized to issue the bonds of said city in such denominations and payable at such times, as said council may determine.

SECTION 2. Said bonds shall bear interest at a rate not to exceed six per cent. per annum, payable semi-annually. They shall be signed by the mayor of said city, and countersigned by the city clerk, and shall be authenticated by the seal thereof, and a complete record of the same shall be kept by the clerk.

SECTION 3. That for the purpose of paying said bonds and the interest thereon, as the same shall become due, the said council is hereby authorized and empowered to levy on all the taxable property of such



city, a tax for such amount, annually, not exceeding two mills above the maximum it is now authorized to levy by law; which levy shall be placed on the duplicate by the auditor of the county, collected as other taxes, and when collected, paid over to the treasurer of such city.

SECTION 4. That before such bonds shall be issued, or tax levied the question of issuing said bonds and levying said taxes shall be submitted to the qualified voters of such city, at a regular municipal or general election, or at a special election called for that purpose, of which ten days' notice shall be given in two newspapers printed and in general circulation in such city, designating the amount of bonds proposed to be issued, and the purpose for which issued. Those voting in favor of the issue of said bonds, shall have written or printed on their ballots the words "Issue of bonds—Yes," and "Issue of bonds—No," on the ballots of those who oppose. If a majority of those voting on said proposition shall be in favor of issuing said bonds, then, and only then, shall said council issue said bonds, as hereinbefore provided.

SECTION 5. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,  
*Speaker pro tem. of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 20, 1893.  
326G

## SHELBY COUNTY.

[House Bill No. 1079.]

### AN ACT

To authorize the trustees of Turtle Creek township, Shelby county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Turtle Creek township, Shelby county, Ohio, be and they are hereby authorized to transfer the sum of one hundred dollars from the building fund to the road fund; and eighty-one and ninety-two hundredths dollars from the building fund to the township fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed January 26, 1893.  
21L

[House Bill No. 1648.]

### AN ACT

To authorize the incorporated village of Sidney, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Sidney, Shelby county, Ohio, be and is hereby authorized to transfer the sum of seven

thousand (\$7,000) dollars from the general revenue fund to the water-works fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,  
*Speaker pro tem. of the House of Representatives.*

ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed March 30, 1893.  
227L

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[House Bill No. 1686.]

### AN ACT

To authorize the commissioners of Shelby county, Ohio, to issue bonds and provide for their payment for the purpose of meeting and providing for a deficiency in the county fund of said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Shelby county, Ohio, for the purpose of meeting and providing for a deficiency in the general expense fund of said county, are hereby authorized to issue bonds in an amount not to exceed seventeen thousand dollars (\$17,000.00); said bonds shall be of the denomination of five hundred dollars (\$500.00) each, bearing interest at the rate of six per centum per annum, payable semi-annually, and shall be due and payable at such times as said commissioners may determine, not exceeding ten years from the date of the same, and shall not be sold for less than their par value. Said bonds and interest shall be payable at the office of the county treasurer of said county.

SECTION 2. That for the redemption of said bonds and the interest thereon, the county commissioners of said county are hereby authorized to levy taxes on all the taxable property of Shelby county, in addition to all other taxes now authorized by law, for such years and in such amounts as shall be necessary to meet and pay the interest and principal of such bonds as the same may become due and payable.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*

ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 13, 1893.  
285L

## STARK COUNTY.

[ House Bill No. 1062.]

## AN ACT

To authorize any city of the fourth grade of the second class which had at the last federal census a population of 26,189, or which at any subsequent federal census may have such population, to issue bonds for the purpose of constructing and improving public parks.

[ CANTON.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any city of the fourth grade, second class, which had at the federal census of 1890 a population of 26,189, or at any subsequent federal census shall have a population of 26,189, be and is hereby authorized and empowered to issue and sell the bonds of such city in any sum, but not to exceed the sum of twenty-five thousand (\$25,000) dollars, for the purpose of subsequently constructing and improving public parks in such city.

SECTION 2. Said bonds, when issued and sold, shall not bear interest at a rate exceeding five per cent. per annum, interest to be payable semi-annually; said bonds to be of such denominations as the council of such city may prescribe and direct, not less than five hundred (\$500) dollars each, and all of said bonds shall be made payable at such times and places as said council may prescribe by ordinance, but not to run longer than twenty years from the date thereof; said bonds shall not be sold for less than par, and the proceeds of the sale of said bonds shall be used only for constructing and improving public parks in said city.

SECTION 3. Said bonds shall be signed by the mayor of such city and attested and signed by the city clerk, and shall express upon their face the purpose for and act under which issued. When said bonds are sold the proceeds thereof shall be paid to the treasurer of such city, who shall hold and disburse the same as other city funds; said bonds shall be sold from time to time and in such amounts as the council of such city may deem proper.

SECTION 4. If any bonds of such city are issued as herein provided, it shall be the duty of the council of such city thereafter to assess and levy a tax, and if necessary in addition to that now authorized by law, on all the taxable property of and in such city sufficient to provide for the payment of the principal and interest of said bonds, when the same shall become due and payable, and said taxes shall be collected as other taxes of said city.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed January 31, 1898.

25G

[House Bill No. 1448.]

## AN ACT

To provide for the election and organization of boards of education in certain cities.

[CANTON.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in any city which at the last federal census had or which at any subsequent federal census may have a population of 26,189, the board of education shall consist of six members, who shall be chosen from the city at large at the regular April election. The three persons receiving the largest number of votes shall serve for a term of two years, and the three persons receiving the next largest number of votes shall serve for a term of one year, and at each subsequent April election there shall be three members chosen for the term of two years.

SECTION 2. The president of the board shall be chosen from one of the two parties casting the largest number of votes, and the clerk of the board shall be chosen from the other of the two parties casting the largest number of votes. But the clerk may or may not be a member of the board, and the board when so organized shall be governed by the laws applying to cities of that class or grade.

SECTION 3. This act shall take effect from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed March 1, 1893.

85G

[House Bill No. 1333.]

## AN ACT

To authorize the county commissioners of Stark county to repair, improve, alter and enlarge the court-house at the county seat of said county, and to issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of the county of Stark are hereby authorized to repair, improve, alter and enlarge the present court-house at the county seat of said county by constructing a third story thereon, or on such portions of the same as they may deem proper, and by constructing fire-proof vaults therein, for the records and unrecorded papers of and belonging to the various county officers of said county, and to otherwise repair, improve, alter and enlarge said court-house as they may determine to be proper. Said court-house, when so repaired, improved, altered and enlarged, shall contain sufficient and suitable rooms of adequate dimensions for the convenience and transaction therein of the county and public business of the courts and various county officials of said county; also the best method of ventilation drainage, lighting and heating; also slate and metal roofs, or either, with proper supports. Said county commissioners shall, within thirty days from and after the passage of this act, determine upon the repairs, improvements, alterations and enlargement so to be made, and have such

determination forthwith entered upon their journal. Plans and specifications of and for said repairs, improvements, alterations and enlargement so determined upon shall be adopted and the contract let according to law within six months from and after the passage of this act, which contract shall require the said repairs, improvements, alterations and enlargement, so determined upon, to be completed within as short a time as practicable.

SECTION 2. That the county commissioners of said Stark county, for the purpose of thus repairing, improving, altering and enlarging said court-house, as aforesaid determined upon, are hereby authorized to borrow such sums of money, not exceeding twenty-five thousand dollars (\$25,000.00), as they shall deem necessary, at a rate of interest not exceeding six (6) per cent. per annum, and issue the bonds of said county therefor. The principal of said bonds shall be payable at such time or times, not exceeding twenty years after their date, as said county commissioners shall therein specify, and the interest of said bonds shall be payable semi-annually. The said bonds shall not be sold for less than their par value.

SECTION 3. That the bonds so issued shall specify distinctly the purpose for which they are issued; shall be in such respective sums as the said commissioners shall determine; shall be paid to bearer at such place as said commissioners shall therein designate, and shall be signed by said commissioners, and attested by the county auditor of said county; and said county auditor shall keep a record of all bonds issued and coupons thereto attached.

SECTION 4. For the purpose of paying the interest on said bonds and the principal of the same as they become due, the commissioners of said county shall annually levy a sufficient tax upon all the taxable property in said county, in addition to the taxes now by law authorized to be levied thereon.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 1, 1893.

90L

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[House Bill No. 1405.]

## AN ACT

To authorize the trustees of Perry township, Stark county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Perry township, Stark county, Ohio, be and they are hereby authorized to transfer the sum of six thousand (\$6,000) dollars from the poor fund to the road fund of said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 2, 1893.  
102L

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[House Bill No. 1445.]

### AN ACT

To authorize the trustees of Sandy township, Stark county, to erect a town hall and to provide means for payment for same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That should a majority of the qualified electors of Sandy township, Stark county, at the next succeeding spring election and after thirty days' previous notice vote in favor of the same, the trustees of said township are hereby authorized and empowered to procure a suitable site and erect a township hall or building, at a cost of not exceeding three thousand (\$3,000) dollars for such uses and purposes as are prescribed by law, for which purpose they are authorized to levy a tax on the taxable property of said township each year for five years, not to exceed in any one year one-fifth of the sum so provided to be expended. It is further provided that the said township trustees shall, for the purpose hereinbefore mentioned, issue the bonds of the said township at a rate of interest not exceeding six per cent. per annum, one fifth of which shall mature in one year, one-fifth in two years, one-fifth in three years, one-fifth in four years and one-fifth in five years from the date of issue. The said bonds shall be for sums of one hundred dollars each, and shall be sold on the open market to the highest bidder in such manner as the township trustees may prescribe.

SECTION 2. This act shall take effect from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 10, 1893.  
117L

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[House Bill No. 1444.]

### AN ACT

Authorizing cities of the fourth grade of the second class to issue and sell bonds to purchase site for market house and hay market.

[CANTON.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any city of the fourth grade of the second class, which by the last federal census had a population of more than twenty-five thousand inhabitants, or which may at any subsequent federal census have such population, be and the same is hereby authorized to issue and sell the bonds of such city in the sum of twenty-six thousand

dollars (\$26,000.00), bearing interest not exceeding six per centum, payable semi-annually, and of denominations not less than one thousand dollars each, and made payable at such times as said council may prescribe, but not within less than two years nor more than fifteen years from date of issue. Said bonds shall not be sold below par, and the proceeds therefrom shall be used to purchase lands for market house and hay market purposes.

SECTION 2. For the purpose of paying said bonds and the interest thereon, as the same may become due, the council of said city is hereby authorized to levy a tax not exceeding one-half of one mill per annum, upon all taxable property of said city, in addition to the amount otherwise allowed by law, to be collected as other taxes.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 10, 1893.  
117G

[House Bill No. 1594.]

#### AN ACT

To divide Bethlehem township, Stark county, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the township of Bethlehem, in the county of Stark, be and the same is hereby divided into two election precincts, as follows: Beginning at a point in the center of the public highway leading from Navarre to Massillon, at the intersection of Perry and Bethlehem townships, thence running south on said road to the limits of Navarre corporation, thence running west along said boundary line through an alley to the northwest corner of what is known as the old town of Bethlehem, thence running due south through an alley dividing the old town of Bethlehem and Navarre proper to a point in the center of the Tuscarawas river, thence running down through the center of said Tuscarawas river in a southeastwardly direction to the boundary line dividing Bethlehem township with Franklin and Lawrence townships in Tuscarawas county; that all territory lying east of said Tuscarawas river, including the old town of Bethlehem, now a part of Navarre, shall constitute and be called east precinct A, Bethlehem township, and all territory lying south of said Tuscarawas river, including the old towns of Navarre and Rochester, now a part of Navarre, shall constitute and be called west precinct B, and elections shall be held in east precinct A, in the town of Bethlehem now a part of Navarre, and in the west precinct B, in the original town of Navarre in said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed March 22, 1893.  
178L

[House Bill No. 1745.]

## AN ACT

To authorize the trustees of Pike township, Stark county, Ohio, to receive the title of Asbury cemetery therein, and to manage and control the same by donations therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of the township of Pike, in the county of Stark and state of Ohio, be and they hereby are authorized and empowered to receive the title of a certain cemetery therein, commonly known as Asbury cemetery, being a part of the northwest quarter of section 16, range 8, township 10, beginning at the northeast corner of said quarter section; thence west twelve rods; thence south eight rods; thence east twelve rods; thence north eight rods to the place of beginning, and containing  $\frac{96}{160}$  of an acre, and to manage and control the same as a public cemetery of said township.

SECTION 2. That said trustees be also authorized and empowered to receive donations therefor, and to invest and reinvest the same as a perpetual fund, and apply the proceeds thereof towards the maintenance and repair of such cemetery.

SECTION 3. This act shall take effect from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed April 11, 1893.

274L

[House Bill No. 1334.]

## AN ACT

To authorize the council of any incorporated village which at the last federal census had a population of not less than 1,320 nor more than 1,325, to issue bonds not to exceed the sum of four thousand dollars for the purpose of purchasing real estate and making improvements thereon.

[LOUISVILLE.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the a council of any incorporated village which at the last federal census had a population of not less than 1,320 nor more than 1,325 be and is hereby authorized and empowered to issue its bonds not to exceed in amount four thousand dollars, in such denominations not less than fifty dollars nor more than five hundred dollars, and payable at such times and places as the council of the village may determine within ten years, for the purpose of purchasing real estate and improving the same for park purposes; said bonds to bear interest at a rate not in excess of six per cent. per annum, payable annually, and not to be sold at less than par value.

SECTION 2. For the payment of the principal and interest of said bonds as the same shall become due, the council of said village is hereby authorized and required to levy a tax on all the taxable property within the corporate limits of said village, in such amounts as will each year meet the principal and interest then falling due upon said bonds, which



levy shall be placed on the tax duplicate by the auditor of said county and collected as other taxes.

SECTION 3. That before said council shall issue said bonds, it shall submit the proposition to the qualified electors of said village at a general or special election, at least ten days' notice of such election having been given by public publication in one newspaper, having a general circulation in said village. Those voting at such election who shall favor such issue of bonds, shall have written or printed upon their ballots the words "Authority to issue bonds—Yes," and those opposing such proposition shall have written or printed upon their ballots the words "Authority to issue bonds—No," and if two-thirds of those voting are in favor of such issue, then the council shall have authority under this act.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 18, 1893.  
284G

[House Bill No. 1447.]

## AN ACT

To define the legal residence of certain persons.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the legal residence of any qualified elector who may be an inmate of an infirmary in any county of the state having a population at the last federal census of 84,170, or which at any subsequent federal census may have a population of 84,170, shall be the ward, precinct or township of such city or county where said inmate was domiciled or resident at the time of his admission to said infirmary, and shall so continue during the time he may be an inmate thereof.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 18, 1893.  
286G

[House Bill No. 1797.]

## AN ACT

To authorize the council of the incorporated village of Navarre, Stark county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Navarre, Stark county, be and is hereby authorized and empowered to transfer from the

general purpose fund four hundred and fifty dollars; and from the police fund two hundred and fifty dollars, to the credit of the street improvement fund.

SECTION 2. This act to take effect and be in force on and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 18, 1893.

315L

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[Senate Bill No. 590.]

### AN ACT

To authorize the council of the village of Canal Fulton, in Stark county, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Canal Fulton, in the county of Stark, and state of Ohio, be and the same is hereby authorized to transfer, by ordinance, the sum of seventy-five dollars from the corporation fund of said village to the street fund thereof; seventy-five dollars from the corporation fund to the fire fund thereof; fifty dollars from the corporation to the light and water fund thereof; three hundred and twenty-five dollars from the marshal's fund to the street fund thereof, and forty dollars from the marshal's to the sanitary fund thereof.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 27, 1893.

401L

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### SUMMIT COUNTY.

[For act relating to reorganization of city government of Akron see Mahoning county.]

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[House Bill No. 1798.]

### AN ACT

To authorize certain cities of the third grade, second class, to issue bonds for the purpose of increasing the efficiency of their fire department.

[AKRON.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That all cities of the third grade, second class, which at the federal census of 1890 had, or at any subsequent federal census shall have a population of not less than 27,590 nor more than 27,720, are hereby authorized and empowered to issue and sell the bonds of said cities to an amount not exceeding \$50,000, and in such denominations as the council may deem expedient, for the purpose of increasing the efficiency of the fire departments of said cities by paying for the real estate, the construction of engine houses and buildings thereon, and the purchase of fire engines and all necessary apparatus. Said bonds shall ma-

ture within ten years from the date of the ordinance authorizing their issue; they shall bear interest at a rate not exceeding six per centum per annum; they shall be sold at not less than their par value, and the ordinance authorizing their issue shall be passed by a concurrent vote of all of the members elected to the council.

SECTION 2. This act shall take effect from and after its passage.

ELVERTON J. CLAPP,

*Speaker pro tem. of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 20, 1893.

309G

## TRUMBULL COUNTY.

[House Bill No. 1215.]

### AN ACT

For the relief of Homer J. Bates, J. D. Biggin and Lucius Holcomb, bondsmen of the defaulting treasurer of Vernon township, Trumbull county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Vernon township, Trumbull county, Ohio, are hereby authorized and empowered to release Homer J. Bates, J. D. Biggin and Lucius Holcomb from any liability by them incurred by reason of their suretyship upon the bonds of the defaulting treasurer of said township; provided, that the said trustees shall submit said proposition for the release of said bondsmen upon ten days' notice, to be given in two newspapers of opposite politics and of general circulation in said township, and also post in five conspicuous places in said township notices to the qualified electors of said township, notifying them that the said proposition will be submitted to them at the next regular election to be held for township officers in said township; and if a majority of said electors at said election shall declare in favor of said relief, then said trustees shall exercise the authority herein provided; and those favoring such release at said election shall have written or printed on the ticket voted by them the words "For the relief of bondsmen—Yes," and those opposed, "For the relief of bondsmen—No."

SECTION 2. This act shall take effect from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed February 9, 1893.

56L

[House Bill No. 1688.]

### AN ACT

To authorize the board of education of certain villages to borrow money and issue bonds therefor.

[NILES.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of any village having at the last

federal census not less than 4,280 and not more than 4,300 inhabitants, or which may at any federal census have such population, is hereby authorized to borrow not exceeding eight thousand dollars (\$8,000.00) for the purpose of purchasing land and erecting school buildings thereon in such villa e.

SECTION 2. That for the purpose aforesaid such board is authorized to issue bonds, to be signed by the president and attested by the clerk of said board, in sums of not more than one thousand dollars (\$1,000.00) each, bearing interest at a rate not exceeding six (6) per cent. per annum, payable semi-annually. Such bonds shall be made payable at such time or times not exceeding twenty years from the respective date thereof, as said board shall determine. Said bonds shall not be sold for less than their par value, and according to law; and said bonds may, in the discretion of said board, have interest coupons attached.

SECTION 3. For the purpose of paying the principal and interest of the bonds so to be issued, said board of education is hereby authorized and empowered to levy annually upon all taxable property of said school district a tax sufficient in rate and amount to pay the principal and interest of said bonds respectively so to be issued when the same respectively shall become due, and additional in rate and amount to the aggregate rate and amount of all taxes now or hereafter to be levied and ordered by said board of education.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 5, 1893.  
218G

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[House Bill No. 1650.]

### AN ACT

To give the council of the village of Niles, Trumbull county, authority to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Niles, Trumbull county, be and it is hereby authorized and empowered to transfer \$938.88 from the light fund to the electric light fund; also \$1,200 from the general fund and \$1,500.00 from the police fund to the water-works fund, and \$800.00 from the general fund to the street fund.

SECTION 2. This act shall take effect from and after its passage.

ELVERTON J. CLAPP,  
*Speaker pro tem. of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed March 30, 1893.  
228L

[House Bill No. 1651.]

## AN ACT

To authorize the council of the village of Girard, Trumbull county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Girard, Trumbull county, Ohio, hereby is authorized and empowered to transfer three hundred (\$300.00) dollars from the police fund of said village to the sinking fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,

*Speaker pro tem. of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed March 30, 1893.

229L

[House Bill No. 1649.]

## AN ACT

To authorize the board of education of the special school district of Mineral Ridge, Trumbull county, Ohio, to levy an additional tax for school purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the special school district of Mineral Ridge, Trumbull county, Ohio, be and it is hereby authorized and empowered to levy a tax for the years of 1894, 1895, 1896, 1897, 1898, 1899 and 1900 on all taxable property within said special school district, not exceeding four mills on the dollar for each year, in addition to the levy now authorized by law, the same to be collected as other taxes for the purpose of supporting and continuing the schools in said special school district.

SECTION 2. This act shall take effect from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 5, 1893.

236L

[House Bill No. 1687.]

## AN ACT

To authorize the board of education of certain villages to borrow money and issue bonds therefor.

[MINERAL RIDGE.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of any village having at the last federal census not less than 850 nor more than 860 inhabitants, or which

may at any federal census have such population, is hereby authorized to borrow not exceeding one thousand dollars (\$1,000.00), for the purpose of making necessary repairs on the school-house in such village, and for such other things as may be needed in and about such school-house.

SECTION 2. That for the purpose aforesaid such board is authorized to issue bonds to be signed by the president and attested by the clerk of said board, in sums of not less than one hundred dollars (\$100.00), and not more than two hundred dollars (\$200.00) each, bearing interest at a rate not exceeding six (6) per cent. per annum, payable semi-annually. Such bonds shall be made payable at such time or times not exceeding twenty years from the respective date thereof as said board shall determine. Said bonds shall not be sold for less than their par value and according to law; and said bonds may, in the discretion of said board, have interest coupons attached.

SECTION 3. For the purpose of paying the principal and interest of the bonds so to be issued, said board of education is hereby authorized and empowered to levy annually upon all the taxable property of said school district a tax sufficient in rate and amount to pay the principal and interest of said bonds respectively so to be issued when the same respectively shall become due, and additional in rate and amount to the aggregate rate and amount of all taxes now or hereafter to be levied and ordered by said board of education.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 6, 1893.  
233G

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[House Bill No. 1652.]

## AN ACT

To establish a special school district in Warren township, Trumbull county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That a special school district in the township of Warren, county of Trumbull and state of Ohio, to be known as the Levittsburgh special school district, be and the same is hereby established with boundary as follows: Beginning at the Braceville township line on the west at the point where the Mahoning river intersects it at its last entering Warren township; thence down the river to the east to a point just north of the residence of Cyrus Bosworth; thence due east and along the north line of the H. Austin farm to a point fifteen chains west of the lot line between lots eighteen and nineteen; thence due south to the lot line between lots twenty-five and thirty-two; thence west on said lot line to the Braceville township line, but also including the whole of the Mrs. Freeman Graber farm; thence north on the township line to the place of beginning.

SECTION 2. Such special school district shall be entitled to receive all the taxes levied for school purposes within said special district, and

such other funds as it may be entitled to under the laws of Ohio regulating the same, and such special school district hereby created shall be governed by such laws as now are or may hereafter be in force relating to special school districts.

SECTION 3. This act shall take effect from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 5, 1893.

237L

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[House Bill No. 1747.]

## AN ACT

To authorize certain cities to issue bonds for the purpose of improving streets.

[WARREN.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of any city of the second class and fourth grade which at the federal census of 1890 had a population of five thousand nine hundred and seventy-three, be and is hereby authorized to borrow not to exceed twenty thousand dollars, and to issue therefor the bonds of such city, to be expended in street improvement.

SECTION 2. Said bonds shall be issued in denominations of even hundreds from one to ten hundred dollars, both inclusive, as the council shall deem best, and shall bear interest at a rate not to exceed six per cent. per annum payable semi-annually, and shall be sold at not less than their par value, and shall be payable at such place and at such time, not exceeding ten years, as the council shall determine.

SECTION 3. The bonds shall be issued only as authorized by ordinances of the council of such city, adopted by an aye and nay vote, and for which three-fourths of all the members of such council vote aye; shall be issued and sold from time to time in such amounts as the council in their ordinance determine; shall express upon their face the purpose for which they were issued, and the number of the issue for such purpose, and shall be signed by the mayor for such city and attested by the clerk of the council, who shall keep an accurate record of each bond so issued, showing the number of the issue, number of the bond, date, amount, rate of interest, when to become due, and when practicable, to whom sold.

SECTION 4. The proceeds arising from the sale of said bonds shall be paid into the city treasury, and there placed to the credit of what shall be known as the "street improvement fund," and shall be used only for paying the portion of the expense of any street improvement falling to the city to pay under the laws of the state in force at the time.

SECTION 5. To pay the interest on such bonds, and the principal when any of such bonds will mature, the council of such city shall annually, at the time provided by law, levy a tax upon all the taxable property of such city, and if deemed necessary in excess of the amount at the

time authorized by law to be levied for all other purposes, sufficient to provide for the payment of such interest and principal.

SECTION 6. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 11, 1898.  
243G

[Senate Bill No. 592.]

### AN ACT

To authorize certain cities to issue bonds for sewer purposes.

[WARREN.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any city of the fourth grade, second class, having a population at the last federal census of not less than 5,960 and not more than 6,000, or which at any subsequent federal census may have such population, be and are hereby authorized to issue and sell the bonds of such city in any sum not exceeding twenty thousand dollars for the purpose of constructing trunk sewers in such city.

SECTION 2. Said bonds shall be issued in denominations of \$500.00 and \$1,000.00 each, and at such times and in such an amount as council may from time to time determine. Said bonds shall express upon their face the purpose for which they were issued and sold, and shall bear interest at a rate not to exceed 5% per annum, payable semi-annually, and shall mature at such time, not exceeding ten years, as council shall determine, and shall be sold at not less than their par value.

SECTION 3. For the payment of bonds under this act and the interest thereon as the same becomes due, the council of such city shall levy a tax, in addition to the amount otherwise authorized by law every year during the period the bonds have to run, sufficient in amount each year to pay the bonds falling due within that year and the accruing interest, to be collected as other taxes; and the money so collected shall be used for the payment of the bonds and interest thereon, and for no other purpose.

SECTION 4. Before any bonds are issued or tax levied, as hereinbefore provided, the question of issuing the bonds shall be submitted to the voters of such city at a regular or special election called by the council for the purpose of voting on such question, of which at least ten days' notice shall be given by publication, in one or more newspapers of general circulation in such city; which notice shall state the amount of bonds to be issued, the purpose for which they are to be issued, and the time and places of holding such election. Those voting in favor of issuing bonds shall have written or printed on their ballots the words "For sewer bonds—Yes;" and those voting against the issue of bonds shall have written or printed on their ballots the words "For sewer bonds—No;" and if a majority of all the votes cast at such election are in favor of issuing said bonds then, and not otherwise, shall the council of such



city be authorized to issue said bonds and levy said tax as herein provided.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 27, 1893.  
456G

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## TUSCARAWAS COUNTY.

[Senate Bill No. 374.]

### AN ACT

To detach certain lands lying and being within the limits of the township of Union, in the county of Tuscarawas, and state of Ohio, and which are hereinafter described, from said township and attach the same to the township of Mill contiguous in said county and state.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the west half of the southeast quarter of section thirty-one (31), in township fourteen (14), of range seven (7), containing eighty-two acres more or less, be and the same is hereby detached from the said township of Union, Tuscarawas county, Ohio, and attached to the township of Mill in said county and state, and made a part thereof.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed February 16, 1893.  
63L

[House Bill No. 1529.]

### AN ACT

To authorize the trustees of Salem township, Tuscarawas county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Salem township, Tuscarawas county, Ohio, be and they are hereby authorized to transfer five hundred dollars (\$500) from the bridge fund to the road fund, and one hundred dollars (\$100) from the bridge fund to the general fund of said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 22, 1893.  
188L

[House Bill No. 1530.]

### AN ACT

To authorize the trustees of York township, Tuscarawas county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of York township, Tuscarawas county, Ohio, be and they are hereby authorized to transfer \$121.85 from the poor fund to the road fund of said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 23, 1893.  
205L

[House Bill No. 1528.]

### AN ACT

To authorize certain villages to issue bonds for the purpose of constructing a system of sewerage in said villages.

[NEW PHILADELPHIA.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of any village which at the federal census of 1890 had, or which at any subsequent federal census may have a population of not less than 4,450 and not more than 4,460, be and they are hereby authorized and empowered to issue the bonds of said village in any sum not exceeding fifty thousand dollars (\$50,000), that may be necessary to construct a system of sewerage in said village. Such bonds shall be issued upon due and legal notice being given from time to time as the exigencies of the work of constructing said system of sewerage demands, in such denominations and payable at such times, not exceeding twenty years from their date, and at such place and at such rate of interest, not exceeding six per centum per annum, payable semi-annually, as the council may by ordinance determine, and shall be sold to the highest bidder at not less than their face value, together with accrued interest thereon. The proceeds of such bonds shall be paid into the village treasury and be applied to the construction of sewers in said village, and to no other purpose. Said bonds shall be signed by the mayor, countersigned by the clerk and authenticated by the seal of said village.

SECTION 2. That for the purpose of paying said bonds and the interest thereon as they may become due, said village council is hereby authorized and empowered to levy annually on all the taxable property of the village a tax sufficient to pay the interest on all the bonds so issued, and also the bonds falling due that year, which tax may be in addition to taxes now allowed by law. Such levy shall be placed upon the tax duplicate by the county auditor and collected as other taxes, and be paid to the village treasurer.

SECTION 3. Before issuing any of said bonds, the council shall submit the question of issuing the same to the qualified electors of said village at some special or general election, the council may by resolution determine, and in either case due notice thereof shall be given at least ten days previous thereto, by publication in two newspapers published and of general circulation in said village. The tickets at said special or general election shall have printed or written thereon the words "Issue of bonds for sewerage—Yes," [and] "Issue of bonds for sewerage—No." If a majority of those voting on said proposition shall be in favor of issuing said bonds, then and then only, shall said council issue said bonds as hereinbefore provided.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 5, 1893.

219G

[House Bill No. 1653.]

### AN ACT

To permit the commissioners of Tuscarawas county, Ohio, to make a certain necessary bridge improvement as hereinafter provided.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Tuscarawas county be and they are hereby permitted to make such improvement, whenever such may be necessary, as to length and location, upon the bridge across the Tuscarawas river south of the village of Newcomerstown and immediately west of the Cleveland and Marietta railway, as shall, in their judgment, best subserve the general welfare. Such improvement shall conform to the report of the viewers upon the proposed road leading to such proposed improvement and now on file in the commissioners' office in said county. And the cost of such improvement shall in no case exceed the sum of fourteen thousand dollars (\$14,000), which shall be paid out of the bridge fund of said county.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 5, 1893.

238L

[House Bill No. 1689.]

## AN ACT

To supplement an act entitled "An act to authorize the commissioners of Tuscarawas county, Ohio, to issue the bonds of said county for the purposes herein mentioned, and to levy a tax for the redemption thereof," passed April 14, 1892.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Tuscarawas county, Ohio, be and they are hereby authorized to expend, in addition to the amount provided for in said act, not to exceed two thousand dollars (\$2,000), out of the bridge fund of said county in the construction of said bridge. Provided that said two thousand dollars or no part of it shall be used in the construction of approaches leading to said bridge.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 5, 1893.  
246L

[House Bill No. 1748.]

## AN ACT

To authorize the council of Newcomerstown, Tuscarawas county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Newcomerstown, Tuscarawas county, Ohio, be and they are hereby authorized to transfer five hundred and thirty-five dollars and fifteen cents (\$535.15), from the street light fund to the general fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 11, 1893.  
275L

## VAN WERT COUNTY.

[House Bill No. 1337.]

## AN ACT

To authorize the council of the incorporated village of Van Wert to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Van Wert, Van Wert county, Ohio, be and the same is hereby authorized to transfer to

sum of three thousand dollars from the bond and interest fund of said village to the street improvement fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,  
*Speaker pro tem. of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 8, 1893.  
105L

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[House Bill No. 1336.]

### AN ACT

To authorize the board of education of the Wilshire special school district in Van Wert county, Ohio, to levy additional tax.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the Wilshire school district in Van Wert county, Ohio, be and the same is hereby authorized to levy an additional tax not to exceed one year of two mills on the dollar in addition to the tax already authorized by law, the same to be collected as other taxes for the purpose of meeting present indebtedness and repairing school-house in said district.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 14, 1893.  
133L

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[House Bill No. 1655.]

### AN ACT

For the relief of Elijah Arnold, treasurer of Jennings township in Van Wert county, Ohio.

WHEREAS, On the 26th day of February, 1893, Elijah Arnold was treasurer of Jennings township in Van Wert county, Ohio; and

WHEREAS, As such treasurer had in his possession the sum of one hundred and fifty dollars belonging to said township; and

WHEREAS, On said 26th day of February, 1893, the dwelling house occupied by said Elijah Arnold, in Jennings township, and in which he kept said money was, without fault or negligence on the part of said Elijah Arnold, entered and said funds were stolen therefrom; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of trustees of Jennings township are hereby authorized to release Elijah Arnold and his official sureties on their official bond as treasurer of said township, from payment of any part of said sum of (\$150) one hundred and fifty dollars belonging to said

township. Provided, however, that before said release shall be granted by said board, it shall submit the question of such release to the qualified electors of said township at some general or special election, after giving at least five days' notice thereof by posters placed in five public places in said township; and provided, further, that said release shall not be granted by said board unless a majority of all the qualified electors of said township voting at said election shall vote in favor of relief.

SECTION 2. At said election all those desiring to vote in favor of such release shall have written or printed on their ballots "For release—Yes," and all voters desiring to vote against such release shall have written or printed on their ballots "For release—No."

SECTION 3. Said board of trustees of said township shall provide a separate ballot-box for said election and certify the result thereof, together with copy of poll-book and tally-sheet, to the auditor of said county within five days after such election.

SECTION 4. That for the purpose of raising the money to cover the deficiency in said township by such release, the trustees are hereby authorized to levy a tax on all the taxable property of said township sufficient in amount to pay the same.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed March 27, 1893.  
210L

[House Bill No. 1603.]

#### AN ACT

To authorize the council of the village of Delphos, Allen and Van Wert counties, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Delphos, Allen and Van Wert counties, Ohio, be and it is hereby authorized to transfer one thousand dollars (\$1,000.00) from the general fund to the light fund of said incorporated village.

SECTION 2. That this act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,  
*Speaker pro tem. of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed March 30, 1893.  
224L

[House Bill No. 1654.]

#### AN ACT

Supplementary to "An act to authorize the boards of county commissioners to procure by purchase or otherwise, material for road purposes," passed April 1, 1889 (O. L. 86, 338).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That an act entitled "An act to authorize the boards of coun 7

commissioners to procure by purchase or otherwise material for road purposes," passed April 15th, 1889 (O. L. 86, 338), be and the same is hereby supplemented as follows:

Sec. 7. In any county which at the last federal census had, or which at any future federal census may have a population of not less than twenty-nine thousand and fifty (29,050) and not more than twenty-nine thousand and eight hundred (29,800), the commissioners of any such county to pay for such material shall levy a tax upon all the taxable property in said county not exceeding one (1) mill on the dollar valuation, and for a period not exceeding five years, the total sum to be thus raised not exceeding eight thousand (\$8,000.00) dollars.

Sec. 8. To anticipate the receipts which may come into the county treasury by reason of such tax, the commissioners of any such county may borrow such sums of money as shall not exceed altogether said eight thousand (\$8,000.00) dollars, and issue bonds therefor at a rate of interest not exceeding six (6) per cent. per annum, which bonds shall be payable at a time not exceeding five (5) years from date of issue, and to be paid out of the funds realized from said tax levy.

Sec. 9. The commissioners of any such county shall allow the free use of any such material by road supervisors and township trustees, and any other authority in any such county having the care and control of public roads and streets in such county, to be used for constructing, improving and repairing roads and streets.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed April 6, 1893.

232G

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[House Bill No. 1371.]

## AN ACT

To provide for the improvement of roads in certain counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of any county which at the last federal census had, or which at any future federal census may have a population of not less than twenty-nine thousand and fifty (29,050) and not more than twenty-nine thousand eight hundred (29,800), shall, annually, at their March or June session in each year, levy a tax upon all the taxable property in said county, except in such townships as are specially exempted by law from any levy by the commissioners for the construction, maintenance and improvement of roads, not exceeding two (2) mills upon each dollar valuation, the fund arising from said levy to be used in improving the public roads in said county as hereinafter provided.

SECTION 2. Than whenever the cost of any improved road petitioned for and ordered to be improved as provided in chapters seven (7) and eight (8), title VII of the Revised Statutes of Ohio, providing for one and two-mile assessment pikes, shall have been ascertained by the com-

missioners of any such counties, they shall pay one-fifth of the cost of any such pike out of the funds realized from the tax provided for in the foregoing section; said payment to be made in cash for such proportioned amount (1-5) of the improvement as the work progresses, on the order of the commissioners, if such improvement be made under the provisions of said chapter 8, and to the pike commissioners if said improvement be made under the provisions of said chapter 7.

SECTION 3. Should the fund arising from said tax be insufficient to pay said one-fifth of the cost of any such improvement in any such counties as fast as made, the commissioners shall anticipate the receipts from said levy, and shall issue the bonds of any such county from time to time, in such amounts as may be necessary to pay for such improvements; which bonds shall be payable at the county treasury at such time and for such rate of interest, not exceeding five per cent. per annum, as the commissioners of any such county shall determine; and said bonds shall be signed by the commissioners and countersigned by the auditor of any such county issuing the same.

SECTION 4. The county auditor shall keep a full and complete record of said bonds, and when redeemed said bonds shall be canceled in the presence of the board of commissioners, who shall certify that fact upon said record over the signatures of the members of the board and the auditor.

SECTION 5. Said levy shall be continued a sufficient length of time to pay for any such improvement, and the bonds issued to realize funds therefor.

SECTION 6. All officers whose services are required by this act, shall be paid therefor such compensation and fees as is provided by law for similar services.

SECTION 7. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 13, 1893.  
257G

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## VINTON COUNTY.

[House Bill No. 1302.]

### AN ACT

To authorize the transfer of funds from the township fund to the school fund of Swan township, Vinton county, Ohio.

SECTION 1. *Be it enacted by the Gen'ral Assembly of the State of Ohio,* That the trustees of Swan township, Vinton county, Ohio, be and they are hereby authorized to transfer the sum of eight hundred dollars (\$800) from the township fund to the school fund of said township and the clerk and treasurer of said township are authorized and empowered to make proper entries in their books, showing such transfer, and



when such transfer of funds and proper entries thereof are made, the auditor of Vinton county is authorized and directed to make the proper entries of such transfer on the records in his office, and charge the treasurer of said township with the amount so transferred to said school fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed February 27, 1893.  
83L

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[House Bill No. 1730.]

### AN ACT

To authorize the council of the incorporated village of Hamden Junction, Vinton county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the council of the incorporated village of Hamden Junction, Vinton county, Ohio, be and they are hereby authorized to transfer the sum of one hundred and fifty dollars (\$150.00) from the building fund to the general fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 13, 1893.  
297L

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[House Bill No. 1468.]

### AN ACT

To authorize the commissioners of Vinton county, Ohio, to issue bonds to pay the indebtedness of said county.

WHEREAS, The county of Vinton, Ohio, is indebted in about the sum of twenty-five thousand dollars upon outstanding orders drawn against the county fund of said county, and because of the insufficiency of the levy for said county funds to meet the current expenses of the county, and at the same time redeem and pay this accrued indebtedness, therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the commissioners of Vinton county, Ohio, be and they are hereby authorized to issue bonds of said county, in an amount not exceeding twenty-five thousand dollars, and bearing interest not exceeding six per cent. per annum, payable semi-annually, the first instalment of interest to fall due September 1, 1893, and the subsequent instalments

upon the first day of each March and September thereafter; the bonds to be for the sum of five hundred or one thousand dollars each, and numbered from one to the final number thereof, consecutively; to be signed by the members of said board, and countersigned by the auditor of said county, and to have interest warrants attached, signed by said auditor; said bonds shall be payable at the office of the treasurer of said county, and shall fall due in equal amounts annually, commencing with the first day of September, 1902, and ending on the first day of September, 1914, excepting said first, or last named year, when \$1,000 only thereof shall fall due; said bonds shall not be sold for less than their par value, and may be sold by said commissioners at such time and place, with or without notice, and at public or private sale, as they may determine; the auditor of said county is required to keep in a book prepared for the purpose, a register of the number of each bond sold, the amount thereof, to whom sold, and the date of each sale, which book shall be subject to inspection at all times.

SECTION 2. That said commissioners, to meet the interest on said bonds as it falls due, are hereby authorized at their first regular or called session after the passage of this act, and at their regular March session thereafter till March, 1902, to make a levy of not exceeding one mill upon the taxable property of said county, and at their March session for 1902, and each regular March session thereafter until said bonds are fully paid, a levy of one and one-half mills upon said taxable property, and out of the proceeds of such levies to pay, first, the interest upon said bonds, second, any and all past due bonds; and at the end of any fiscal year, they are hereby authorized to set apart any residue of such proceeds as a sinking fund for the redemption of said bonds, or if they deem it for the best interest of the county, they may transfer such residue to the county or county poor fund of said county.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,

*Speaker pro tem. of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 25, 1893.

367L

[House Bill No. 1860.]

## AN ACT

To authorize certain villages to levy a tax in addition to that now authorized by law for the purpose of paying the interest on the bonded indebtedness thereof.

[HAMDEN JUNCTION.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of any municipal corporation which by the last federal census had and those which may hereafter have, as ascertained by any federal census, a population of not less than six hundred and twenty (620) nor more than six hundred and twenty-five (625), is hereby authorized, for the purpose of paying the interest on bonds heretofore

issued under an act entitled "An act to authorize certain villages to issue bonds and levy a tax, the money arising from the same to be used for the purpose of general improvement and benefit thereof," to levy a tax not exceeding three mills annually in addition to taxation now authorized by law to be levied, also in addition to the taxes authorized by said act, which levy shall be placed on the duplicate by the auditor of said county and collected as other taxes, and when collected paid over to the treasurer of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 25, 1893.

395G

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## WARREN COUNTY.

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[House Bill No. 1341.]

### AN ACT

To create a special school district in Franklin township, Warren county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following described territory in the township of Franklin, county of Warren, state of Ohio, be and is hereby made and constituted a special school district, to wit: Beginning at the southwest corner of Harriet Morningstar's land in the line between Warren and Butler counties, running thence north with said county line to the northwest corner of Binkley's farm, thence east to the northeast corner of Ball's farm, thence south to James Anderson's farm, thence east to the northeast corner of K. Anderson's farm, thence south to the north line of John Chamberlain's farm, thence east with the said north line and south with the east line of said Chamberlain's farm to the farm of T. V. Dubois, thence east and south with Dubois' farm to the northwest corner of Stephen Chamberlain's farm, thence east, south and west with the boundary of said Chamberlain's farm to the southwest corner thereof, thence west with the south line of T. V. Dubois' farm to the east line of Stephen Chamberlain's farm, thence south to the Poast town road, and east with said road to the northeast corner of J. Apples' farm, thence with south and southwest with his boundary, thence westwardly to the county line to the place of beginning; being the same territory in school district number 7, Franklin township.

SECTION 2. Said special school district shall be entitled to all property belonging to said district number 7, and to receive its proportionate share of the school funds and the funds levied for incidental expenses (if any were so levied), in accordance with the enumeration of the year 1892, of school children entitled to attend school. Said funds being those now collected within the township or county treasuries, and shall be governed

by such laws as are now or may hereafter be in force relating to special school districts; provided, there shall be elected in such special school districts on the second Monday in April next, three members of the board of education, one to serve one year, one to serve two years and one to serve three years, and shall be called the Lane special school district.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 1, 1893.

91L

[House Bill No. 1277.]

### AN ACT

To authorize the special school district of Waynesville, Warren county, Ohio, to issue and sell bonds to pay off its present indebtedness.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Waynesville, Ohio, school district in Warren county, be and is hereby authorized to issue the bonds of said school district in an amount not exceeding fifteen thousand dollars, payable any time the board may direct, not exceeding ten years, the same to bear interest at five per cent. per annum, payable semi-annually, for the purpose of paying off a floating debt for the construction of a new school-house. Said bonds shall not be sold for less than their par value, and shall be signed by the president of the board and attested by the secretary.

SECTION 2. For the purpose of paying the said bonds and the interest on the same as they become due, the board of education is hereby authorized to levy a tax on all the taxable property in said school district, to be collected the same as other taxes are now collected in said district, not exceeding one mill in addition to that now levied, for any time said board may deem necessary, not exceeding ten years.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 22, 1893.

155L

[House Bill No. 1469.]

### AN ACT

To authorize the village council of any village which had at the last federal census or any subsequent federal census a population of not less than 560 nor greater than 570, to borrow money and issue bonds for the purpose of purchase of grounds and erection thereon of building for use of fire department and council.

[MASON.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village council of any incorporated village which at

the last federal census had or which at any subsequent federal census may have a population of not less than 560 nor greater than 570, be and the said council is hereby authorized to borrow money and issue bonds for the purpose of purchasing ground and the erection thereon of a building for use of fire department and council of said village, in amount not exceeding twenty-five hundred dollars. Said bonds to be of such denomination and payable at such places as said village council may determine; to bear interest not to exceed five per cent. per annum, payable semi-annually, and payable in not less than three nor more than ten years from their date.

SECTION 2. Said village council is hereby empowered to levy such amount of tax upon the taxable property of said village in addition to other taxes authorized by law as may be necessary to pay the interest and principal of such bonds when the same shall become due, said taxes to be levied and collected in the same manner as taxes on other property are levied and collected.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 22, 1893.  
161G

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[House Bill No. 1770.]

### AN ACT

To authorize the trustees of Turtle Creek township, Warren county, Ohio, to purchase and inclose land for a pound.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Turtle Creek township, Warren county, Ohio, be and they are hereby authorized to purchase and inclose land to be used for a pound, at a cost not to exceed three hundred dollars.

SECTION 2. This act shall take effect on its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 13, 1893.  
298L

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[House Bill No. 1691.]

### AN ACT

To create a special school district from parts of Deerfield and Union townships, county of Warren, state of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following described territory in the townships of Deerfield and Union, of Warren county, and state of Ohio, be and is hereby

made and constituted a special school district, to wit: Being sections numbered 19 and 20, and lands of Amos Runyan and Robert Shurts, in section 21, township 4 east, range 3 north, and sections 25 and 26 in township 3 east, range 3 north, bounded and described as follows: Beginning at the southeast corner of section number 19, thence north to the bank of Muddy creek, thence with the middle of said creek and in a northwesterly direction to the intersection with the west line of George Perrine's lands, thence south to the southeast corner of James Bercaw, thence with the line between Runyan and Bercaw west to J. P. Keever's northeast corner, thence with the lines of J. P. Keever and Amos Runyan south to the corner of J. P. Keever and Amos Runyan with Robert Shurts, thence west with the line of Robert Shurts to the northwest corner of the land owned by him known as the Beadle tract, thence south to the section line, thence west with said section line to the northwest corner of section 26, thence south to the southwest corner of section 25, thence east to the place of beginning. The territory as described to include all of joint subdistrict number 1, of Deerfield and Union townships.

SECTION 2. All of the school property situated within said territory shall be the property of said special school district.

SECTION 3. Said special school district shall be entitled to receive its proportionate share of the school funds and the funds levied for contingent expenses in accordance with the enumeration for the year 1892, of the children who are entitled to attend school; said funds being now collected within the county and township treasury, or which may be collected, and shall in all respects be governed by such laws as are now or may be enforced relating to special school districts.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 20, 1893.

328L

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[House Bill No. 1690.]

## AN ACT

To create a special school district in Hamilton township, Warren county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following described territory is hereby created and declared to constitute a special school district in Hamilton township, Warren county, Ohio, to be known as the "Union special school district," to wit: Beginning at Eliphlet Stevens' northwest corner, bearing south along said Stevens' west line to Daniel Hewitt's northwest corner, and thence west to Charles C. Schlotman's northwest corner, thence south to Catherine Gillis' northeast corner, thence west on her line to west corner, and then along her entire west line to her southwest corner, thence east to Oliver Merrill's southwest corner and along his south line to Indiana M. Johnson's southwest corner, thence with her south line to W. H.

Dodd's southwest corner, thence with his south line to a point in Colon Spence's west line, thence with Spence's west line to his southwest corner, thence along his south line to county road, thence north on said road to Laura Greeley's southwest corner, thence along her south line to a point in E. Downey's west line, thence along his west line to his southwest corner, thence along his south line to Adam Fisher's southwest corner, thence along his south line to his southeast corner, thence north on his east line to a point in Martha Price's south line, thence east to John Knapp's southwest corner, thence along his south line east to the Wolf Run pike, thence north along said pike to Robert Gillis' southwest corner, thence with his south line to his southeast corner, thence with his east line to a point in John Knapp's south line, thence along his south line to the township line, thence north on said line to John Knapp's northeast corner, thence along his north line to the Ditmer's pike crossing said pike to Joseph Gillis' northeast line, thence along said line to Lindsey Mount's southeast corner, thence along his east line north to Nancy Hewitt's northeast corner, thence along her north line to John Ertles' northeast corner, thence along his north line to Ira C. Ertles' northeast corner, thence along his north line west to Zoar road, thence north on said road to Z. H. Haines' northeast corner, thence along his north line to his northwest corner, thence south to Eliphlet Stevens' northeast corner, thence along said Stevens' north line to the place of beginning, and to be known and designated as all the territory heretofore included in subdistrict No. 7, in Hamilton township, Warren county, Ohio. Said district to be called Union special school district.

SECTION 2. All of the school property situated within said territory shall be the property of said special school district, and said special school district shall be entitled to receive its proportionate share of the school funds and the funds levied for contingent expenses in accordance with the enumeration for the year 1892, of the children who are entitled to attend school; said funds being now collected within the county and township treasury or which may be collected, and shall in all respects be governed by such laws as are now or may be enacted relating to special school districts.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,

*Speaker pro tem. of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed April 27, 1893.

393L

[House Bill No. 1889.]

## AN ACT

To authorize the city council of any city which at the last federal census had, or which at any subsequent federal census may have, a population of eight thousand two hundred and seventy-three, to borrow money and issue bonds therefor for paving and for constructing sewers in the streets and alleys of such city.

[MARIETTA.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city council of any city which at the last federal cen-

sus had, or which at any subsequent federal census may have, a population of eight thousand two hundred and seventy-three, be and it hereby is authorized to borrow a sum not to exceed twenty thousand dollars, and to issue the bonds of such city for the sum or sums borrowed, the money so borrowed to be expended for paving and for constructing sewers in the streets and alleys of such city, including any and all incidental expenses. Such bonds shall be issued in denominations not to exceed one thousand dollars, shall bear interest at a rate not to exceed five per cent. per annum, payable semi-annually, shall become due and payable at a date not to exceed twenty years from the date of their issue, and shall not be sold for less than their par value with accrued interest. The proceeds arising from the sale or sales of said bonds shall be placed in the city treasury, and shall be used for paying the cost and expense of paving or of constructing sewers in the streets and alleys of such city, or for both of such purposes, including any and all incidental expenses. The cost and expense which, as herein provided, may be paid from the proceeds arising from the sale or sales of said bonds, may be either such cost and expense as is by law chargeable upon such city, or such proportion of total cost and expense as the city council of such city may deem it proper to be paid by such city, or such proportion of total cost and expense in anticipation of the collection of special assessments therefor, as the city council of such city may assess, or such proportion of total cost and expense as may be properly chargeable to and collectable from any street railway company, or other person, or association of persons, partnership or corporation. All money which may be collected by such city from such special assessments, the collection of which may be so as aforesaid anticipated, and all money which may be collected by such city from any street railway company, or other person, association of persons, partnership or corporation, by reason of such payment by such city of the proportion of total cost and expense properly chargeable to such street railway company, or other person, or association of persons, partnership or corporation, shall be placed in the city treasury, to be expended for the purposes hereinbefore mentioned, or one of them, or else applied by such city either to the payment of interest on bonds issued under the provisions of this act, or to the redemption of such bonds, or to the creation of a sinking fund for the redemption of such bonds.

SECTION 2. The city council of such city for the purpose of paying the interest on any and all bonds issued under the authority of this act, shall levy annually a tax upon all the taxable property in such city sufficient to pay said interest; and such city council shall also levy, in addition, from time to time, a tax upon all the taxable property in such city, sufficient to redeem and pay the bonds issued under the authority of this act at their maturity.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives*  
 ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 27, 1893.  
 485G



## WAYNE COUNTY.

[House Bill No. 1061.]

## AN ACT

To authorize the council of any incorporated village of the state of Ohio which contained at the last federal census or which at any subsequent federal census may contain a population of not less than 1,765 and not more than 1,785 to issue bonds and levy a tax for the payment of the same and the interest thereon for the purpose of building water-works and supplying water to said village.

[ORRVILLE.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any incorporated village in the state of Ohio which, at the last federal census contained or which at any subsequent federal census may contain a population of not less than 1,765 nor more than 1,785, be and the same are hereby authorized to issue the bonds of said village in a sum not exceeding twenty-five thousand (\$25,000) dollars, bearing interest at a rate not exceeding six per cent. per annum from the date of issue, payable semi-annually, and redeemable at such times as the council by ordinance may prescribe, not more than twenty years from date, to be applied to the constructing of a water-works system for said village, to be owned and operated by said village.

SECTION 2. Said bonds shall be signed by the mayor and countersigned by the clerk of said village in denominations of not less than \$100 nor more than \$1,000, and shall not be sold for less than their par value, and may be sold at such times and in such amounts, from time to time, as will best subserve and carry out the purpose for which they are issued.

SECTION 3. The funds realized from the sale of said bonds shall be used only for the purpose of constructing and maintaining a plant for the supplying of water to said village and the inhabitants thereof by a complete water-works plant, to be constructed, owned and controlled by said village.

SECTION 4. That for the purpose of paying said bonds, and the interest thereon as the same becomes due, the said council is hereby authorized and empowered to levy on all the taxable property of said village a tax for such an amount annually not exceeding five mills above the maximum authorized by the general laws, which levy shall be placed on the duplicate by the auditor of the county, collected as other taxes, and when collected paid over to the treasurer of such village.

SECTION 5. That before such bonds shall be issued or tax levied, the question of issuing said bonds and levying said tax shall be submitted to the qualified voters of such village at a regular or general election, or at a special election called for that purpose, of which ten days' notice shall be given in two newspapers printed in the county in which such village is located, and in general circulation in said village, designating the amounts of bonds proposed to be issued, and the purpose for which issued. Those voting in favor of the issue of such bonds shall have written or printed on their ballots the words "Issue of bonds for water-works plant—Yes;" and those voting against the same the words "Issue of bonds for water-works plant—No;" and if a majority of all the votes

cast at said election shall be in favor of issuing such bonds, then the council of such village shall have authority and proceed to issue said bonds, and not otherwise.

SECTION 6. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed January 27, 1893.  
19G

[House Bill No. 1152.]

### AN ACT

Supplementary to an act entitled "An act to authorize cities having a population at the last general census in 1880 of 5,840 to build a freight and passenger railroad passing through the limits and to own and control the same," passed April 11, 1890 (Laws of 1890, page 176); and to amend section 8 of said act and to repeal an act supplementary thereto passed February 4th, 1891, Laws of Ohio, 1891, page 21.

[WOOSTER.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That whenever any bonds issued under the provisions of the act to which this is supplementary may have been refunded by said city, an annual levy of a tax shall be made by the council thereof sufficient to pay the interest and provide a sinking fund for the redemption of said refunded bonds, and which tax may be in addition to the tax now by law authorized to be levied.

SECTION 2. That any money remaining in the hands of said trustees from the sale of any bonds, or which may thereafter come into their hands, may be retained by them for the purpose of constructing said railroad, or any part thereof, and they may make contracts therefor with any person or company, and on the final completion of said railroad, and the payment of the costs of construction and expenses and charges of said trusteeship, any moneys thereafter remaining in their hands shall be transferred to the sinking fund provided in said act to which this is supplementary.

SECTION 3. That section 8 of said original act be amended to read as follows:

Sec. 8. The said trustees shall have power to lease the right to use or operate said road or any portion thereof, or to sell the same to any person or company, subject to the approval of the council of any such city.

SECTION 4. That section 8 of said original act, and also the act supplementary thereto passed February 4th, 1891, be and the same are hereby repealed.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed February 2, 1893.  
30G

[House Bill No. 1592.]

## AN ACT

To authorize the board of education of the West Salem school district, Wayne county, Ohio, to borrow money and issue bonds therefor for the purpose of furnishing heat for the school building in the said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the West Salem school district, Wayne county, Ohio, is hereby authorized to borrow money not to exceed the sum of three thousand five hundred dollars, and issue bonds therefor for the purpose of furnishing heat for the school-house in said village district.

SECTION 2. Said bonds shall be signed by the president and attested by the clerk of the board of education, and shall be issued in sums not to exceed five hundred dollars each, and shall bear interest not to exceed six per cent. per annum, being made payable at such times as the board shall determine, not to exceed ten years from the date of the issue. Said bonds shall not be sold for less than their par value, and the board shall levy annually such levy as is necessary to pay the bonds as they become due, and all accrued interest.

SECTION 3. This act shall take effect on its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed March 22, 1893.

177L

[House Bill No. 1600.]

## AN ACT

To authorize the township trustees of Franklin township in Wayne county, Ohio, to purchase the necessary site therefor and to erect a town hall thereon, to issue and sell the bonds of said township for that purpose, and to sell and dispose of any unsuitable town hall site now owned by said township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the township trustees of Franklin township in the county of Wayne, in said state, be and said trustees hereby are authorized to purchase the necessary site therefor and to build and furnish a town hall for said township.

SECTION 2. For the purpose of raising the necessary funds with which to build and furnish such town hall, said township trustees may sell and dispose of any unsuitable town hall site now belonging to said township after having given not less than ten days' notice by posting notices in at least five prominent conspicuous places in said township, and also by issuing and selling the bonds of said township in such sum not exceeding seven hundred dollars, in such denominations as said trustees may determine, and running for such length of time not exceeding ten years as said trustees may see fit. Said bonds shall express upon their face the purpose for which they are issued, shall bear interest at a rate not exceeding six per cent. per annum, and shall not be sold for less than their par value.

SECTION 8. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
 ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 24, 1893.  
 850L

## WILLIAMS COUNTY.

[House Bill No. 1086.]

### AN ACT

To authorize the village council of any village which had at the last federal census or which at any subsequent federal census may have a population of not less than eight hundred and seventy (870) nor greater than eight hundred and eighty (880), to borrow money and issue bonds for the purpose of purchasing a site and building an engine house.

[WEST UNITY.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village council of any incorporated village which at the last federal census had or which at any subsequent federal census may have a population of not less than eight hundred and seventy nor greater than eight hundred and eighty, be and said council is hereby authorized to issue bonds in any sum not exceeding three thousand dollars, for the purpose of purchasing site and building engine house for said village.

SECTION 2. Such bonds shall be issued by the council of said village in denominations not to exceed five hundred dollars, payable at such time not exceeding eight years from the date of said bonds as the council shall provide, with interest not to exceed six per cent. annually, and at such place as said council may determine. Said bonds shall express upon their face the purpose for which and the act under which issued, and shall be signed by the mayor and countersigned by the clerk of said village, and shall not be sold for less than their par value.

SECTION 3. The council of said village is authorized and required to levy a tax annually on the taxable property of said village, over and above other taxes, in such amount as will each year be sufficient to pay principal and interest on the said bonds as they may become due and payable by the terms thereof.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
 ANDREW L. HARRIS,  
*President of the Senate.*

Passed January 27, 1893.  
 20G

[House Bill No. 1749.]

## AN ACT

To amend an act passed January 27, 1893, entitled "An act to authorize the village council of any village which had at the last federal census or which at any subsequent federal census may have a population of not less than eight hundred and seventy (870) nor greater than eight hundred and eighty (880), to borrow money and issue bonds for the purpose of purchasing a site and building an engine house."

[WEST UNITY.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village council of any incorporated village which at the last federal census had or which at any subsequent federal census may have a population of not less than eight hundred and seventy nor greater than eight hundred and eighty, be and said council is hereby authorized to issue bonds in any sum not exceeding six thousand dollars, for the purpose of purchasing a site and erecting a building to be used for an engine house and village hall purposes.

SECTION 2. Such bonds shall be issued by the council of said village in denominations not exceeding five hundred dollars, payable at such times not exceeding fourteen years from the date of said bonds as the council shall provide, with interest not to exceed six per cent. annually, and at such place as said council may determine; said bonds shall express upon their face the purpose for which and the title of the act under which issued, and shall be signed by the mayor and countersigned by the clerk of said village and shall not be sold for less than their par value.

SECTION 3. The council of said village is authorized and required to levy a tax annually on the taxable property of said village over and above other taxes, in such amount as will each year be sufficient to pay principal and interest on the said bonds as they may become due and payable by the terms thereof.

SECTION 4. The above cited original act is hereby repealed and this act shall take effect and be in force on and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed April 11, 1893.

244G

[House Bill No. 1386.]

## AN ACT

Supplementary to an act entitled "An act to authorize the village of Bryan, in Williams county, to issue bonds for the purpose of raising money to construct water-works, and to levy taxes for the payment thereof," passed April 12, 1892.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That for the purpose of raising money wherewith to pay the expense of extension of its water-works system, mains, pipes, hydrants and service, the village of Bryan, in Williams county, Ohio, is hereby

authorized to issue and dispose of in the manner provided by law for the issuance and sale of municipal bonds, its bonds in denominations of not less than one hundred nor more than one thousand dollars, respectively, and not exceeding in the aggregate the sum of fifteen thousand dollars; such bonds to draw interest not exceeding six per centum per annum, payable semi-annually, and the principal thereof, respectively, payable at or within such time or times not exceeding thirty years from date of issue, as the council of said village shall by ordinance determine.

SECTION 2. In the event of the issuance of said bonds or any thereof, the council of said village of Bryan shall levy, in addition to all other taxes authorized by law, such rates and sums as shall provide for the payment of the principal and interest of the said bonds as such principal and interest shall, respectively, become due and payable.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 9, 1893.  
110L

[House Bill No. 1387.]

#### AN ACT

To authorize the trustees of Pulaski township, Williams county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Pulaski township, Williams county, Ohio, be and they are hereby authorized and empowered to transfer from the road fund of said township three hundred dollars (\$300.00), from the bridge fund of said township two hundred dollars (\$200.00), and from the cemetery fund of said township two hundred dollars (\$200.00), all to the township fund of said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 14, 1893.  
122L

[House Bill No. 1384.]

#### AN ACT

To authorize the trustees of Superior township, Williams county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the township trustees of Superior township, in the county

of Williams, Ohio, be and said trustees are hereby authorized to transfer the sum of four hundred (\$400.00) dollars from the town hall or building fund to the township fund, of said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed March 22, 1893.  
157L

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[House Bill No. 1569.]

### AN ACT

To authorize the trustees of Brady township, Williams county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Brady township, Williams county, Ohio, be and are hereby authorized to transfer the sum of twelve hundred dollars (\$1,200) from the bridge fund to the township fund of the township, and the sum of four hundred dollars (\$400) from the special road fund to the township fund of said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 23, 1893.  
192L

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[House Bill No. 1804.]

### AN ACT

Supplementary to an act entitled "An act to authorize the village of Bryan, in Williams county, to issue bonds for the purpose of raising money to construct water-works and to levy taxes for the payment thereof," passed April 12, 1892.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That for the purpose of raising money wherewith to pay the expense of construction of additional wells and of a reservoir or stand-pipe for and as a part of the water-works system of the village of Bryan, and for the payment of such part of the operating expenses of said system as shall not accrue from the rentals and use thereof, the said village of Bryan, in Williams county, Ohio, is hereby authorized to borrow the sum of ten thousand (\$10,000.00) dollars, and in that behalf to issue and dispose of, in the manner provided by law for the issuance and sale of municipal bonds, its bonds in denomination of not less than one hundred nor more than one thousand dollars, respectively, and not exceeding in

the aggregate the sum of ten thousand dollars; such bonds to draw interest not exceeding six per centum per annum, payable semi-annually, and the principal thereof, respectively, payable at or within such time or times not exceeding forty years from date of issue, as the council of said village shall by ordinance determine.

SECTION 2. That for the purpose of enabling the said village of Bryan to proceed at once to carry into effect the purposes for which it is by the preceding section authorized to borrow money, it is hereby authorized to apply and use in that behalf any sum not exceeding ten thousand dollars of and from any funds not otherwise appropriated, which now are or may hereafter be in its treasury as proceeds of the sale of bonds issued under authority of an act passed March 9, 1893, entitled "An act supplementary to an act entitled 'An act to authorize the village of Bryan, in Williams county, to issue bonds for the purpose of raising money to construct water-works, and to levy taxes for the payment thereof, passed April 12, 1892;'" any sum so used to be replaced from proceeds of bonds issued under authority of the first section of this act.

SECTION 3. In the event of the issuing and sale of the bonds authorized by section one of this act, or any thereof, the council of the said village of Bryan shall levy, in addition to all other taxes authorized by law, such rates and sums as will provide for the payment of the principal and interest of the said bonds as such principal and interest shall respectively become due and payable.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 22, 1893.

336L

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[House Bill No. 1750.]

## AN ACT

Supplementary to section three of an act entitled "An act to repeal an act entitled 'an act to vacate a part of state road crossing parts of sections thirty-two (32) and thirty-three (33), of township eight (8), range two (2) east, in Williams county,' passed February 26th, 1891 (O. L. vol. 88, page 672), and to reestablish and locate said part of said state road sought to be vacated by said act," said act having been passed April 15th, 1892. (O. L. vol. 89, page 655.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section three (3) of an act entitled "An act to repeal an act entitled 'an act to vacate a part of state road crossing parts of sections thirty-two (32) and thirty-three (33), of township eight (8), range two (2) east, in Williams county,' passed February 26th, 1891 (O. L. vol. 88, page 672), and to reestablish and locate said part of said state road, sought to be vacated by said act," said act having been passed April 25th, 1892 (O. L. vol. 89, page 655), be supplemented with sectional numberings as follows:

Sec. 3a. That the county commissioners of said county shall, at the first regular session after the passage of this act, cause a notice to



be published by the auditor of said county, in some newspaper of general circulation in said county, for four consecutive weeks before the next meeting of said board, notifying all parties interested in the reestablishment of said road, that the commissioners of said county will hear and consider applications for damages and compensation for lands appropriated of any person or persons on account of the relocation and reestablishment of the said road through their lands.

Sec. 3b. All persons who do not make application for compensation or damages at the next regular session of the commissioners after the publication of such notice, shall be considered and held to have released all claim to damages by reason of the relocation and reestablishment of said road; and if there be any land the owners of which have not filed their application for compensation for lands appropriated, or for damages, with the county commissioners, the whole case shall be continued to the next regular session of the commissioners of said county, and they shall again order the auditor of said county to cause notice to such owner or owners, and all other persons interested, to be published in some newspaper of general circulation in said county, for four consecutive weeks before their next meeting, that they will, at such meeting, hear all applications for damages.

Sec. 3c. If any person consider himself aggrieved by the relocation and reestablishment of said road through his premises, he shall file a petition in writing, describing the lands on which he claims damages, with the commissioners of said county, at their next regular session, after the publication of the notices provided for in the preceding sections; and the commissioners shall appoint a jury of three disinterested freeholders of said county, who, after taking an oath to faithfully and impartially discharge the duties imposed upon them in chapter one, in title seven of the Revised Statutes of Ohio, shall proceed to view said road the entire distance the same may have been relocated and reestablished through the premises of the complainant, and assess the compensation to be paid in money for the property so appropriated, without deduction for benefits arising from the relocation and reestablishment of said road.

Sec. 3d. If the commissioners are satisfied that the amount so assessed and determined by the jury aforesaid is just and equitable, they shall order the compensation and damages so assessed and all costs connected therewith to be paid by the county out of the county treasury.

Sec. 3e. An appeal from the final decision of said county commissioners, or on any application for damages or compensation sustained by the relocation and reestablishment of said road, shall be allowed to the probate court of said county, if notice of such appeal be given by the appellant during the same session of said commissioners at which such decision is made and the order approving the report of said jury is made, and the appellant shall, within ten days thereafter, enter into bond with good and sufficient surety, to be approved by the county auditor, for the payment of all costs and expenses arising from or in consequence of such appeal; and the appellant shall, within five days thereafter, deliver to the probate judge a transcript of the proceedings had before the commissioners; and the proceedings on said appeal in the probate court thereafter shall be in conformity with and as provided in title seven of chapter four of the Revised Statutes of Ohio, pertaining to and providing for appeals in road cases.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 24, 1893.  
860L

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[House Bill No. 1846.]

### AN ACT

Authorizing county commissioners of certain counties to repair or alter state or county roads when the same have been injured or destroyed by washouts or land-slides.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in any county which at the last federal census had or which at any subsequent federal census may have a population of not less than 24,875 nor more than 24,925, when any state or county road lying therein may have become or is now injured or destroyed by the washing of any lake, river, or creek, or by any washing or sliding of land occasioned by natural drainage, the county commissioners of such county be and they are hereby authorized and empowered to cause said road so injured or destroyed to be repaired or altered upon the petition of six freeholders residing within the townships through which said road is laid, and the provisions of sections 4665, 4666 and 4667, Revised Statutes of Ohio, as far as the same are applicable, shall be followed in such cases.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 24, 1893.  
870G

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### WOOD COUNTY.

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[House Bill No. 1049.]

### AN ACT

To authorize the township of Grand Rapids, Wood county, Ohio, to issue bonds and levy a tax to purchase real estate and erect thereon a memorial hall in honor of its soldiers and sailors for their use and for township purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Grand Rapids township, Wood county, Ohio, be and they hereby are authorized to issue the bonds of said township in amount not exceeding five thousand (\$5,000.00) dollars as herein-

after provided, to purchase real estate and erect thereon a memorial hall in honor of its soldiers and sailors for their use and for township purposes in said Grand Rapids township.

SECTION 2. Said bonds shall be of such denomination payable at such times, within ten years from date of issue, and bear interest at such rate not exceeding six per cent., payable semi-annually, as the trustees of said township may direct, but said bonds shall not be sold for less than their par value.

SECTION 3. For the purpose of paying said bonds and the interest thereon as the same may become due, the said trustees are hereby authorized to levy a tax on all the taxable property of said township in addition to that now authorized by law, to such amount each year as shall be necessary for the payment of the principal and interest of said bonds.

SECTION 4. Before the said trustees shall have authority to issue said bonds and levy said tax, the question of such issue and levy shall first be submitted to the voters of said township at a regular or special election held for that purpose. Such election shall be held in the same manner and at the same place where elections are usually held in said township; notice thereof shall be given by publication in a newspaper of general circulation in said township for two consecutive weeks prior to said election. Those electors who favor the issue of such bonds and the levy of such tax shall have written or printed on their ballots the words "Issue of bonds—Yes," and those who are opposed to such issue and levy shall have written or printed on their ballots the words "Issue of bonds—No;" and if a majority of the votes cast upon the question at such election are in favor of the issue of such bonds, the trustees of said township shall be authorized to issue said bonds and make said levy for the purposes aforesaid.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed January 17, 1893.

9L

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[House Bill No. 1216.]

## AN ACT

To authorize the commissioners of Wood county, Ohio, to build a court-house.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Wood county be and they hereby are authorized to build a court-house in said county at a cost not to exceed two hundred thousand dollars.

SECTION 2. To carry out the provisions of this act said commissioners are hereby authorized, by taxation upon the property in said county subject to taxation, to raise the amount of money necessary for that purpose, not exceeding the sum above named. And in anticipation of the collection of such taxes said commissioners shall have power to issue the bonds of said county with interest coupons attached thereto,

interest payable semi-annually, in sums of not less than five hundred dollars, principal and interest payable at the office of the treasurer of said county, or at such other place as may be designated in the bonds; said bonds to be due and payable at such times as such commissioners may in their discretion deem for the best interest of said county; provided, that none of said bonds shall be due and payable at a longer period than twenty years from their date; and provided further, that the aggregate of the principal of said bonds shall not exceed the sum of two hundred thousand dollars; said bonds to bear a rate of interest not exceeding six per centum per annum and to be sold for not less than their par value.

SECTION 3. Said bonds shall be issued and signed by said commissioners and countersigned by the county auditor, who shall keep and preserve a record of the bonds so issued, and said bonds shall be numbered consecutively and be made negotiable.

SECTION 4. Said commissioners shall, annually hereafter, at their June session, levy such an amount of taxes upon the tax duplicate of the county as shall be necessary to pay the accruing interest upon said bonds, and such part of the principal thereof as falls due each year until said indebtedness is fully discharged. Said commissioners are hereby authorized and empowered to purchase any of said bonds at an earlier period than their maturity, provided a surplus fund may be on hand applicable to that purpose.

SECTION 5. Upon the passage of this act there shall be appointed by the judge of the circuit court of said county four competent freeholders thereof, not more than two of whom shall be members of the same political party, to be known as the "building committee," who shall hold their office for two years or until said court-house is completed, unless the court shall sooner remove them. They are hereby authorized to act and vote with said commissioners in procuring, making and approving plans, estimates and specifications for said court-house, in awarding contracts for labor and materials used in building the same, and for furnishing said court-house when completed, and in determining all questions in connection therewith until it shall be completed and furnished according to contracts and accepted by a majority of said commissioners of said committee; and said judges are authorized to fill any vacancy arising in said committee from any cause should they deem it necessary and advisable so to do.

SECTION 6. The members of said committee shall receive no compensation for their services when rendered within the county. When performing necessary services beyond the limits of the county they shall receive three dollars per day and their reasonable traveling expenses, to be paid out of the county treasury on the warrant of the county auditor.

SECTION 7. Said commissioners and committee may in their discretion advertise for proposals for the entire work at a single job or separate portions thereof, to the lowest responsible bidder and receive and accept bids therefor.

SECTION 8. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate*

Passed February 2, 1893.

41L

[House Bill No. 1312.]

## AN ACT

To authorize the board of education of the Jerry City, Wood county, Ohio, special school district to levy a tax to supply a deficiency in the contingent school fund of said district.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the Jerry City, Wood county, Ohio, special school district be and the same hereby is authorized and empowered to levy a tax, in addition to that now authorized by law to be levied, of three mills, to be levied as follows, to wit: During the years 1893 and 1894; and said tax levy is to be placed to the credit of and expended from the contingent school fund of said district.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed March 22, 1893.

156L

[House Bill No. 1001.]

## AN ACT

To authorize villages having at the last federal census or at any subsequent federal census a population of not less than twenty-eight hundred and forty-seven, or more than twenty-eight hundred and sixty-seven, to issue and sell the bonds of such villages to purchase real estate and construct buildings thereon, and to own, lease and sell the same, and to loan proceeds of such bonds for the general improvement of such villages.

[NORTH BALTIMORE.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any village which by the last federal census of 1890 had or which at any subsequent federal census may have a population of not less than twenty-eight hundred and forty-seven nor more than twenty-eight hundred and sixty-seven, is hereby authorized to contract for and purchase land and erect buildings thereon, and for that purpose to issue bonds to the amount of forty thousand dollars, in such denominations, in such amounts at any one time, and payable at such times as the village council shall, by resolution, determine. Such bonds shall be designated village improvement bonds, shall be signed by the mayor of such village and countersigned by the clerk thereof, and attested by the corporate seal of such village, and shall bear interest at a rate not to exceed six per cent. per annum, payable semi-annually from the dates thereof.

SECTION 2. That the council of any such village may negotiate such bonds for cash, or it may deliver the same in payment for such real estate, or for the construction of any building or buildings for manufacturing purposes only, or any part of the proceeds arising from the sale of such bonds may be loaned by the council of such village to manufacturing industries that may be located within the corporate limits of such village, at a rate of interest which may be acceptable to the council of such village, and the council may secure such loan or loans by bond and mortgage upon real and personal property situated in such village, and used

and operated for manufacturing purposes only, and make such conditions in such bond or bonds, mortgage or mortgages, as shall inure to the benefit of such village, and such bonds and mortgages shall be in the name of such village, and all of the powers and authority so conferred and to be exercised by such council shall be so exercised by it for the sole purpose of securing for such village profitable and permanent manufacturing industries, such as will furnish employment to the inhabitants thereof, but in no case shall such bonds be disposed of at less than the par value thereof, and no contract shall be awarded until the contractor shall enter into a bond with such village in double the amount of any such contract, conditioned that such contractor shall fully perform all the obligations imposed upon him by such contract.

SECTION 3. That such village council is hereby authorized to lease such real estate and buildings, if there be any, for such terms and on such conditions and reservations as may by it be determined by resolution, or such village may sell and convey such real estate and buildings, if there be any, or any buildings that may be contracted for to be built, for such considerations and upon such terms and conditions and reservations and to such person or persons as may by it be determined by resolution.

SECTION 4. The council of any such village shall within ten days after the passage of this act, provide by resolution for the holding of a special election in such village, and for that purpose shall give notice by ten days' publication in each of the newspapers printed in such village, designating in said notice the time and place of holding such election, and incorporating in such notice the text of this act, and shall at such election submit to the electors, as now provided by law, the proposition whether such village improvement bonds shall be issued. If a two-thirds majority of the votes cast at such election shall be in favor of the issuing of such bonds, the same shall be issued and sold from time to time as in this act provided, but not otherwise, and not exceeding the said sum of forty thousand dollars.

SECTION 5. The resolutions of such council herein provided for shall forthwith be entered by the clerk of such village upon the ordinance book of such village, and go into effect upon its passage, without any publication, any provisions of the law to the contrary notwithstanding.

SECTION 6. The election provided for in this act shall be conducted in accordance with the provisions made and provided for the election of municipal officers.

SECTION 7. That all contracts or conveyance authorized by this act shall, on the part of such village, be signed by the mayor, countersigned by the clerk, and attested by the seal of such village; and the village council is hereby authorized to levy such tax, in addition to the rate now authorized by law, upon the taxable property of such village, each year thereafter as may be necessary to pay the interest on such bonds as the same may become due, and to provide a sinking fund to pay the principal of such bonds at maturity.

SECTION 8. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate*

Passed March 22, 1893.  
156G

[House Bill No. 1470.]

## AN ACT

To transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Freeport, Wood county, Ohio, be and they hereby are authorized to transfer the sum of five hundred (\$500.00) dollars from the Dow tax fund to the general fund of said village.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
 ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed March 22, 1893.  
 162L

[House Bill No. 1263.]

## AN ACT

For the relief of George Wittman, treasurer of Perrysburg township, Wood county, Ohio.

WHEREAS, On the night of May 9th, 1892, the safe provided by the trustees of Perrysburg township, Wood county, Ohio, for the safe keeping of the funds of said township, which safe was in the custody of George Wittman, as treasurer of said township, was broken open and the funds of said township, to the amount of \$1,200.00 therein contained, were stolen therefrom; and

WHEREAS, One George Keller has been apprehended, tried and convicted, and is now imprisoned in the Ohio penitentiary for the commission of said offense; and

WHEREAS, Said treasurer has been unable to recover said stolen funds or any part thereof, and the said George Keller is wholly insolvent; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Perrysburg township, Wood county, Ohio, be and they are hereby authorized, empowered and directed to submit to the qualified electors of said township at the next regular election held after the passage of this act, ten days' notice of which shall be given before the day of such election by written or printed notices in at least five public places in said township, the question of releasing the said George Wittman, treasurer of said township, and the sureties on his official bond, from the payment of the said sum of twelve hundred dollars stolen as aforesaid and belonging to the township and school funds of said township.

SECTION 2. The voters of said township desiring to vote for such relief shall have written or printed on their ballots the words "For the relief of George Wittman—Yes," and those desiring to vote against such relief shall have written or printed on their ballots the words "For the relief of George Wittman—No;" and if it shall appear that a majority of the electors voting upon such question had upon their ballots "For the relief

of George Wittman—Yes," then shall the said trustees and the board of education of said township release the said George Wittman and his sureties on his official bond from the payment of said sum of twelve hundred dollars stolen as aforesaid.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 23, 1898.  
187L

[House Bill No. 1656.]

### AN ACT

To authorize the incorporated village of Weston and Weston township, Wood county, Ohio, to unite in the purchase of a site and the erection of a town hall in said village, and to issue bonds for the purpose of raising money therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the incorporated village of Weston and Weston township, in Wood county, Ohio, be and hereby are authorized to unite in the purchase of a site and the erection thereon of a town hall in said village; said hall to be owned by said village and township in such proportions as the council of said village and the board of trustees of said township may determine. And to meet the payment of the bonds and interest thereon hereinafter authorized to be issued to raise money for said purpose, said village and township be and hereby are respectively authorized to levy a tax yearly, so long as may be necessary, on the taxable property in each, not exceeding four mills on the dollar of valuation, to be collected as other taxes are.

SECTION 2. The council of said village of Weston is hereby authorized to issue the bonds of said village to an amount not exceeding seven thousand dollars, bearing interest at a rate not exceeding six per cent. per annum, payable semi-annually; and said bonds to be issued in such denominations and payable at such places and at such times not exceeding ten years from the date of issue, as such council may determine. And the trustees of said township of Weston are hereby authorized to issue the bonds of said township to an amount not exceeding the sum of seven thousand dollars, bearing interest at a rate not exceeding six per cent. per annum, payable semi-annually; and said bonds to be issued in such denominations and payable at such places and at such times not exceeding ten years from the date of issue as said trustees may determine. All bonds issued under the provisions of this act shall be sold to the highest and best bidder after thirty days' notice of said sale in at least two newspapers of general circulation in said county, setting forth the nature, amount, rate of interest and length of time the bonds have to run, with time and place of sale; and none of said bonds shall be sold at less than their par value. Said bonds shall be issued and sold in all respects not herein provided for according to law. And the money arising from the sale of said bonds, shall, so far as may be necessary, be used for the pur-



pose of defraying the expenses for the purchase of said site and the erection of said town hall. Provided, however, that before said bonds or any of them are issued, the question of issuing the same shall be submitted to a vote of the qualified electors of said village and township at the next annual spring or fall election as the council of said village and the trustees of said township may order. Notice of such election shall be published in one or more newspapers circulating in said village and township, and posted in at least five public places in said village and township for not less than ten days prior to such election, and said election shall be held in all respects not herein provided according to law. At said election the electors desiring to vote in favor of the issue of said bonds and the erection of said town hall shall have written or printed on their ballots the words "For town hall bonds—Yes," and those desiring to vote against the same shall have written or printed upon their ballots the words "For town hall bonds—No." If a majority of the electors voting upon said proposition in said village, and also a majority of the electors voting on said proposition in the township shall in each case vote in favor of said proposition, then the council of said village and the trustees of said township shall proceed to issue said bonds and erect said town hall as herein provided for, and not otherwise.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 23, 1893.  
1891.

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[House Bill No. 1758.]

## AN ACT

To authorize the board of education of the Bradner special school district of Wood county, Ohio, to sell its old school buildings and grounds and to issue bonds for the erection of a new school-house.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the Bradner special school district of Wood county, Ohio, be and hereby is authorized to sell and convey its old school buildings and grounds and apply the proceeds arising therefrom to the erection of a new school-house hereinafter referred to, and to issue the bonds of said district in a sum not exceeding ten thousand (\$10,000.00) dollars for the purpose of erecting a new school-house in said district, which new school-house shall be located on the following land, described as [follows]: Commencing twenty-five feet north of the northwest corner of inlot 251 in Bell's addition to the village of Bradner, Wood county, Ohio, thence north twenty rods, thence east sixteen rods, thence south twenty rods, thence west sixteen rods to the place of beginning, containing two acres more or less, in section twelve, town four north, range twelve east, Montgomery township, Wood county, Ohio.

SECTION 2. That such bonds shall be issued in such denominations and payable at such times not exceeding ten years from their date of issue

as the board may provide, with interest not to exceed six per cent. per annum payable semi-annually, principal and interest payable at such place as the board may determine, and the principal also to be paid in such amounts as the board may determine; said bonds shall not be sold for less than their par value.

SECTION 3. That when such bonds are issued they shall express upon their face the purpose for which issued, the act under which issued, the amount of bond, the rate of interest, the time and place at which such bonds and interest shall be paid, and shall be signed by the president and secretary of the board of education aforesaid.

SECTION 4. That for the purpose of paying said bonds and interest thereon as the same shall become due, the said board of education is authorized and empowered to annually levy a tax on all taxable property in said special school district in addition to that now authorized by law sufficient to pay the same, which levy shall be placed on the duplicate by the auditor of said county, collected as other taxes, and when collected paid over to the treasurer of said school district.

SECTION 5. That this act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,

*Speaker pro tem. of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 20, 1893.

324L

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[House Bill No. 1866.]

## AN ACT

To authorize the board of education of Freeport special school district, Wood county, Ohio, to issue bonds to complete, furnish and equip its school-house.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of Freeport special school district, Wood county, Ohio, be and it hereby is authorized and empowered to issue bonds and levy a tax to pay the same, in a sum not to exceed \$500.00 payable at such time not to exceed five years, with interest not to exceed six per cent. per annum, payable semi-annually, to complete, furnish and equip the upper room of its new school-house in the village of Freeport, Wood county, Ohio.

SECTION 2. That said board is further authorized and empowered to rent said upper room for entertainments from time to time on such terms as may by it be deemed reasonable.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,

*Speaker of the House of Representatives*

ANDREW L. HARRIS,

*President of the Senate.*

Passed April 25, 1893.

377L

[House Bill No. 1681.]

## AN ACT

To authorize the trustees of Washington township, Wood county, Ohio, to purchase a site, erect jointly a town and memorial hall, finish off and furnish same, and to issue bonds and levy a tax therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Washington township, Wood county, Ohio, be and they are hereby authorized and empowered to issue its bonds in any amount not exceeding four thousand dollars (\$4,000.00), at a rate of interest not exceeding six (6) per cent. from date of issue, payable semi-annually, for the purpose of purchasing a site and erecting thereon jointly a town and memorial hall, finishing off and furnishing the same, to be located in the incorporated village of Tontogany in said township, and to be used for the transaction of all township business, such as holding elections, public meetings and for such other public purposes as the trustees may authorize.

SECTION 2. That said bonds shall be issued in such amounts, respectively, as will in the judgment of said trustees best subserve the negotiations and sale of the same.

SECTION 3. Said bonds shall not be sold for less than par value and may be made payable any time not exceeding five years from the date of their issue.

SECTION 4. That the trustees of said township for the purpose of paying said bonds and interest thereon, are hereby authorized and required to levy a tax in accordance with law upon the taxable property and real estate of said township, to be certified to the auditor of the county of Wood, state of Ohio, and to be collected as the taxes for township purposes.

SECTION 5. That before such bonds shall be issued or tax levied, the trustees shall submit the question of issuing said bonds and levying a tax therefor to the qualified electors of said township at some special or general election, as the said trustees may determine, due notice of which shall be given by either written or printed notices posted up in not less than six (6) of the most public places in said township at least 20 days before said election. At said election the tickets voted shall have either written or printed thereon "Authority to issue bonds—Yes," or "Authority to issue bonds—No." If the proposition to issue bonds is approved by a majority of the voters voting on said proposition at said election, then and only then, shall the trustees of said township be authorized and required to issue the said bonds and levy a tax for the payment of the same and interest accruing thereon.

SECTION 6. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,

*Speaker pro tem. of the House of Representatives.*

ELBERT L. LAMPSON,

*President pro tem. of the Senate.*

Passed April 27, 1893.

396L

[House Bill No. 228.]

## AN ACT

For the relief of Gaius B. Hanford of Wood county, Ohio.

WHEREAS, On the 3 day of February, 1877, Gaius B. Hanford purchased from the auditor of Lucas county, Ohio, a tract of school lands containing about 25 acres in section 16, of the U. S. reserve of twelve miles square, lying on the right bank of the Maumee river in Perrysburg township in said Wood county, at the price of \$40 per acre, and said Hanford has from time to time paid on said purchase an amount equal to an annual rental greater than said Lucas county was ever able to obtain for said lands; and

WHEREAS, The auditor of said Lucas county at the September term, 1891, of the court of common pleas of said Wood county, obtained a judgment against said Gaius B. Hanford for the sum of \$1,176.02 on account of said purchase, and an order to sell the said lands; and pursuant to said order said lands have been sold by the sheriff of said county for the sum of \$457.00; and

WHEREAS, Said lands have greatly depreciated in value by reason of the erosion thereof by said Maumee river, and without any fault or negligence on the part of said Hanford, and the enforcement of said judgment against him would not only be unjust but would deprive him of all his property; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county auditor of said Lucas county be and he hereby is authorized and empowered to release and forever discharge the said Gaius B. Hanford from the payment of any unpaid balance of said judgment, after deducting the proceeds of the said sale of said lands therefrom.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,  
*Speaker pro tem. of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 27, 1893.  
402L

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 WYANDOT COUNTY.

[Senate Bill No. 513.]

## AN ACT

To vacate a certain road in Crane township, Wyandot county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the public road running north and south on the half quarter ( $\frac{1}{2}$ ) line of the southwest quarter ( $\frac{1}{4}$ ) of section four (4) and the northwest quarter of section (9), and along the Sandusky river in the northwest quarter ( $\frac{1}{4}$ ) of section nine (9), both of said sections being township three (3) south, range fourteen (14) east, in the township (

Crane, Wyandot county, Ohio, be and the same is hereby vacated from a point on said road twenty-five (25) rods north of the south line of the aforesaid section four (4) to a point where said road crosses the Sandusky river in the southeast quarter ( $\frac{1}{4}$ ) of the northwest quarter ( $\frac{1}{4}$ ) of the aforesaid section nine (9).

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 29, 1893.  
213L

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[Senate Bill No. 514.]

### AN ACT

To authorize the trustees of Antrim township, in the county of Wyandot, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Antrim township, in the county of Wyandot, state of Ohio, be and they are hereby authorized and empowered to transfer the sum of five hundred (\$500.00) dollars from the township fund to the road fund of said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed March 29, 1893.  
214L

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[Senate Bill No. 527.]

### AN ACT

To amend section 3 of an act entitled "An act to create the township of Pitt, in the county of Wyandot, state of Ohio, a separate road district for macadamizing purposes, and to improve the roads and highways in said township, and to authorize the trustees to levy and assess a tax for said improvement," passed April 16, 1892, O. L. v. 89, pp. 656-657.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3 of an act entitled "An act to create the township of Pitt, in the county of Wyandot, state of Ohio, a separate road district for macadamizing purposes, and to improve the roads and highways in said township, and to authorize the trustees to levy and assess a tax for said improvement," passed April 16, 1892, O. L. v. 89, pp. 656-657, be amended so as to read as follows:

Sec. 3. For the purpose of macadamizing and improving the road in said township, the trustees are authorized to levy and assess upon all

taxable property in said township not more than three mills on the dollar in addition to that authorized by law, for a period of five years, which shall be paid in money and collected with other taxes, and the money so collected shall be under the control of the trustees of said township; and the trustees of said township may and are hereby authorized to issue township orders bearing not more than six (6) per centum per annum for the payment of macadamizing and improving the roads in said township; but the aggregate amount of said orders shall not exceed the amount to be derived by the said levy of three mills on the dollar for the said period of five years; and the trustees may and are hereby authorized to issue said interest bearing orders for any work that may have been done prior to the passage of this act and since the passage of said original act; and any or all orders shall be paid in the order in which they were issued, and subject to the call of the trustees of said township for the payment thereof.

SECTION 2. That said original section 3 be and the same is hereby repealed, and this act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,

*Speaker pro tem. of the House of Representatives.*

ANDREW L. HARRIS,

*President of the Senate.*

Passed March 31, 1893.

232L

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[Senate Bill No. 552]

### AN ACT

To amend section 4 of an act entitled "An act to create the township of Antrim in the county of Wyandot, state of Ohio, a separate road district for macadamizing purposes, and to improve the roads and highways in said township, and to levy and assess taxes for said macadamizing and improving of said roads and highways in said township," passed April 12, 1892 (O. L., vol. 89, pp. 612-613).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 4 of an act entitled "An act to create the township of Antrim in the county of Wyandot, state of Ohio, a separate road district for macadamizing purposes, and to improve the roads and highways in said township, and to levy and assess taxes for said macadamizing and improving of said roads and highways in said township," passed April 12, 1892 (O. L., vol. 89, pp. 612-613), be amended so as to read as follows:

Sec. 4. The trustees of said township are hereby authorized to levy a tax on all the taxable property in said township, in addition to the amount now authorized by law, not exceeding three (3) mills additional in any one year for a period not exceeding five years from the passage of this act for the payment of the expenses of the improvement, repair and macadamizing of the roads in said township; and the trustees may and are hereby authorized to issue township orders bearing not more than six (6) per centum per annum for the payment of macadamizing and improving the roads in said township; but the aggregate amount of said orders shall not exceed the amount to be derived by the said levy of three mills on the dollar for the said period of five years; and the trustees may and are hereby authorized to issue said interest bearing orders for ar

work that may have been done prior to the passage of this act, and since the passage of said original act; and any or all orders shall be paid in the order in which they were issued, and subject to the call of the trustees of said township for the payment thereof.

SECTION 2. That said original section 4 be and the same is hereby repealed, and this act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,  
*Speaker pro tem. of the House of Representatives.*  
ANDREW L. HARRIS,  
*President of the Senate.*

Passed April 14, 1893.  
301L

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[ House Bill No. 1807.]

### AN ACT

To authorize the council of the village of Upper Sandusky, Wyandot county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village council of the village of Upper Sandusky, Wyandot county, Ohio, be and are hereby authorized to transfer the sum of two hundred and seventeen dollars and twenty-three cents from the cistern fund to the water fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,  
*Speaker of the House of Representatives.*  
ELBERT L. LAMPSON,  
*President pro tem. of the Senate.*

Passed April 24, 1893.  
361L

STATE OF OHIO,  
OFFICE OF THE SECRETARY OF STATE.

I, SAMUEL M. TAYLOR, Secretary of State of the State of Ohio, do hereby certify that the foregoing acts were printed under and by the authority of the General Assembly of said State, and that the same are true copies, copied from the original rolls on file in this office, of the local acts passed by the Seventieth General Assembly of the State of Ohio, at its adjourned session, begun January 3, 1893, and ended April 27, 1893, and held in the city of Columbus.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name, and affixed my official seal, at Columbus, the 15th day of September, A. D. 1893.

SAMUEL M. TAYLOR,  
*Secretary of State.*

[SEAL]



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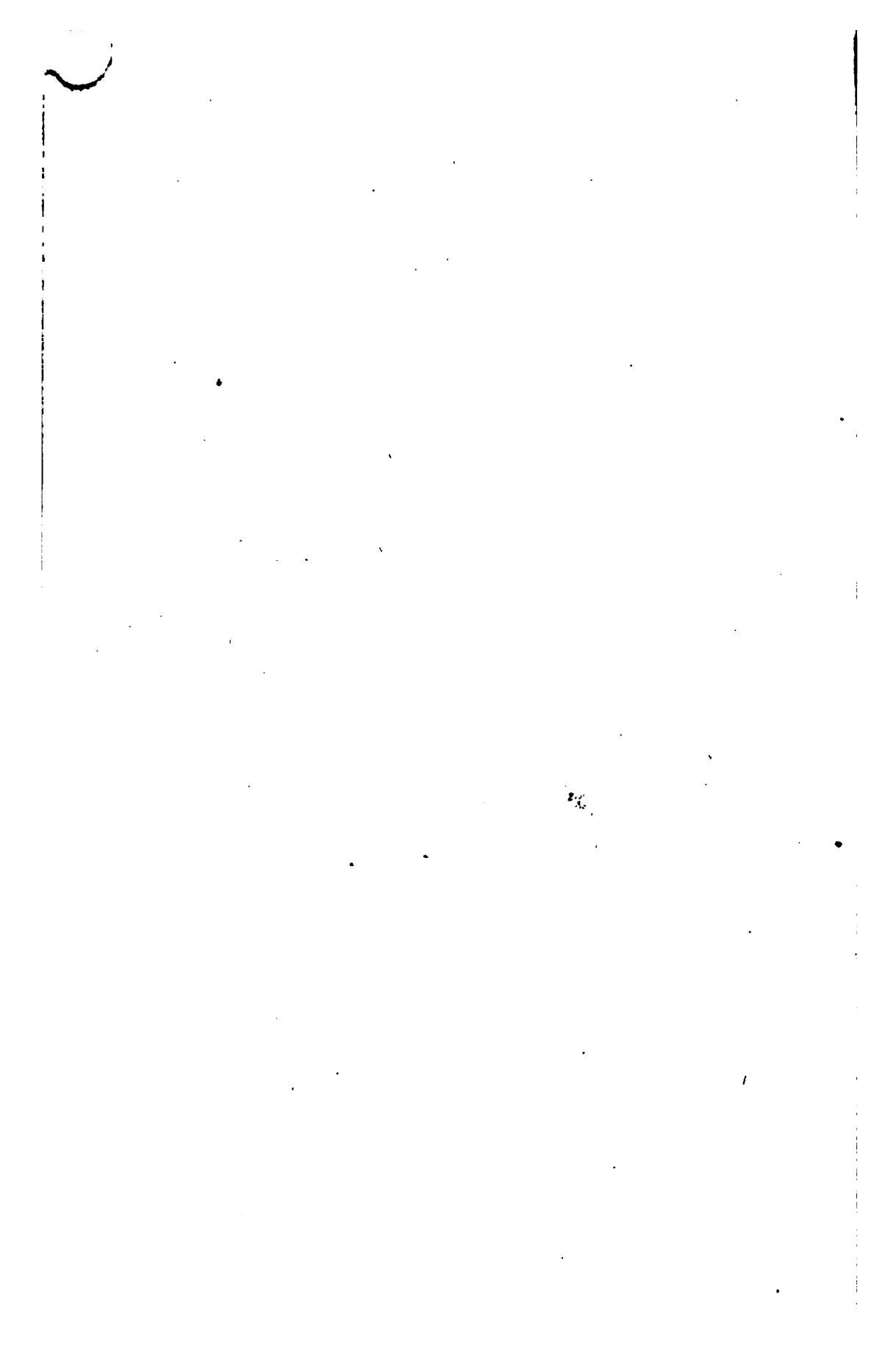
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